

CA4ONHBLA05  
C51P4  
NOVEMBER 1990-

URBAN/MUNICIPAL

PLANNING AND DEVELOPMENT  
COMMITTEE CITY OF HAMILTON







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CAYON HBLA05  
C51P4  
URBAN/MUNICIPAL

1990

1990 November 15th

**NOTICE OF MEETING**

**Planning and Development Committee**  
**Wednesday, 1990 November 21st**  
9:30 o'clock a.m.  
Room 233, City Hall

URBAN MUNICIPAL

NOV 23 1990

GOVERNMENT DOCUMENTS

*Susan K. Reeder*  
Susan K. Reeder  
Secretary

**AGENDA**

1. Consent Agenda.

**BUILDING COMMISSIONER**


2. City of Hamilton By-law 84-35, to provide for the maintaining of land in a clear and clean condition.

**DIRECTOR OF PROPERTY**

3. Purchase by City - 219 Brant Street - Hamilton East Kiwanis Non Profit Homes Inc. for the Alpha West Residential Enclave Clearance Programme.

**DIRECTOR OF LOCAL PLANNING**

4. Proposed renaming of a road - Alma Avenue to Eaglewood Drive; Eleanor Neighbourhood.
5. Revised Terms of Reference - Business Land Use Advisory Board.



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## ZONING APPLICATIONS

### 10:30 O'CLOCK A.M.

6. Subdivision Application 25T-90010 and Zoning Application 90-58, Starward Homes, owner, for a change in zoning from "AA" to "C" for lands municipally known as 236 Stone Church Road West; Gourley Neighbourhood.
7. Zoning Application 90-63, Vorelco Limited, owner, for a change in zoning from "AA" and "HH" modified to "C" and "HH" for lands municipally known as 1209 to 1223 Upper James Street; Jerome Neighbourhood.
8. Zoning Application 90-75, A-1 Towing, lessee, for a modification to the "M-15" District regulations for property at 1650 Upper Ottawa Street; Hannon West Neighbourhood.

### 10:45 O'CLOCK A.M.

9. Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, for a change in zoning from "AA" to "DE" modified for land on the west side of Rice Avenue, south of Chadmac Drive; Mountview Neighbourhood.
  - (a) Letter of submission - W. M. Wadley, 241 West 32nd Street.
10. Other Business.
11. Adjournment.







2.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1990 November 5

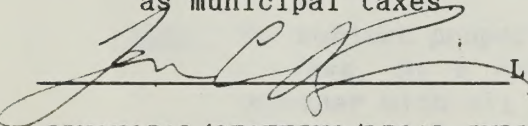
**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. L. C. King, P. Eng.  
Building Commissioner

**SUBJECT:** City of Hamilton By-Law 84-35, to provide for the  
maintaining of land in a clear and clean  
condition.

**RECOMMENDATION:**

- a) That the City Solicitor be authorized and directed to prepare a By-Law to give immediate effect to Orders issued pursuant to By-Law 84-35, by authorizing the Building Commissioner to expend monies to a maximum of \$2,000.00. Furthermore, such money is to be recovered by adding the sum to the tax roll to be collected in a like manner as municipal taxes.

 L. C. King, P. Eng. Building Commissioner

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

The approval of this recommendation would eliminate the need for the Building Department to obtain separate approval from the Planning and Development Committee for each property in default of Orders issued pursuant to By-Law 84-35 requiring area clean up, where expenditures would not exceed \$2,000.00.

By-Law 84-35 passed pursuant to Section 210 of the Municipal Act, R.S.O., 1980, Chapter 302, authorizes the Building Commissioner to clean up a property where the owner is in default of the by-law.

The policy has been to bring these matters before the Planning and Development Committee and Council to obtain a by-law before taking action to physically clean up the property. This recommendation will enable the Department to take action quickly on properties if the cost is less than \$2,000.00.

c.c. Ms. P. Noé Johnson, City Solicitor







3.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

NOV 15 1990

**DATE:** 1990 November 15

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. D. W. Vyce  
Director of Property

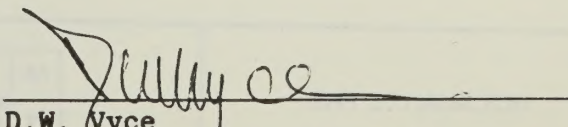
**SUBJECT:** Purchase by City - 219 Brant Street -  
Hamilton East Kiwanis Non Profit Homes Inc. for the  
Alpha West Residential Enclave Clearance Program

**RECOMMENDATION:**

- a) That an Option to Purchase the property at 219 Brant Street, duly executed by the Hamilton East Kiwanis Non Profit Homes Inc. on November 9, 1990 and scheduled to close on or before February 4, 1991, be completed.

Note: The subject property has a frontage of 9.144 metres (30 feet) , more or less, by a depth of 24.384 metres (80 feet), more or less, together with all structures erected thereon being Municipal number 219 Brant Street.

- b) i) This Option to Purchase, and the binding contract of purchase and sale in the event of acceptance by the City, shall be conditional until the closing date so that the Owner may obtain the consent of Canada Mortgage and Housing Corporation ("CMHC") for the sale transaction contemplated herein, and failing receipt of such consent this Option to Purchase and any subsequent contract of purchase and sale shall be null and void, and any deposit paid shall be returned to the City without interest or deduction.
- ii) The Owner shall be entitled to remove the Stove and Refrigerator from the premises prior to closing.
- c) The purchase price of \$70,000.00 is to be charged to Account Number CF5590308750001 Land Acquisition Enclave Clearance Program. Demolition is to take place upon closing.

  
D.W. Vyce



**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

See above recommendation.

**BACKGROUND:**

The subject property lies within the Alpha West Residential Enclave. The acquisition of this property is in conjunction with the Residential Enclave Clearance Program, initiated for the purpose of purchasing and demolishing primarily residential dwellings located in older industrial zoned sections in the north-east part of the city.

On June 27, 1989, City Council authorized the City's application for approval to expropriate sixteen (16) remaining properties in the Alpha West Enclave. However, through negotiations, the subject property has been acquired prior to the expropriation plan being registered therefore avoiding the expropriation proceeding.

c.c. Mrs. P. Noé Johnson, City Solicitor  
Attention: Mr. D. Powers

Mr. E. C. Matthews, Treasurer

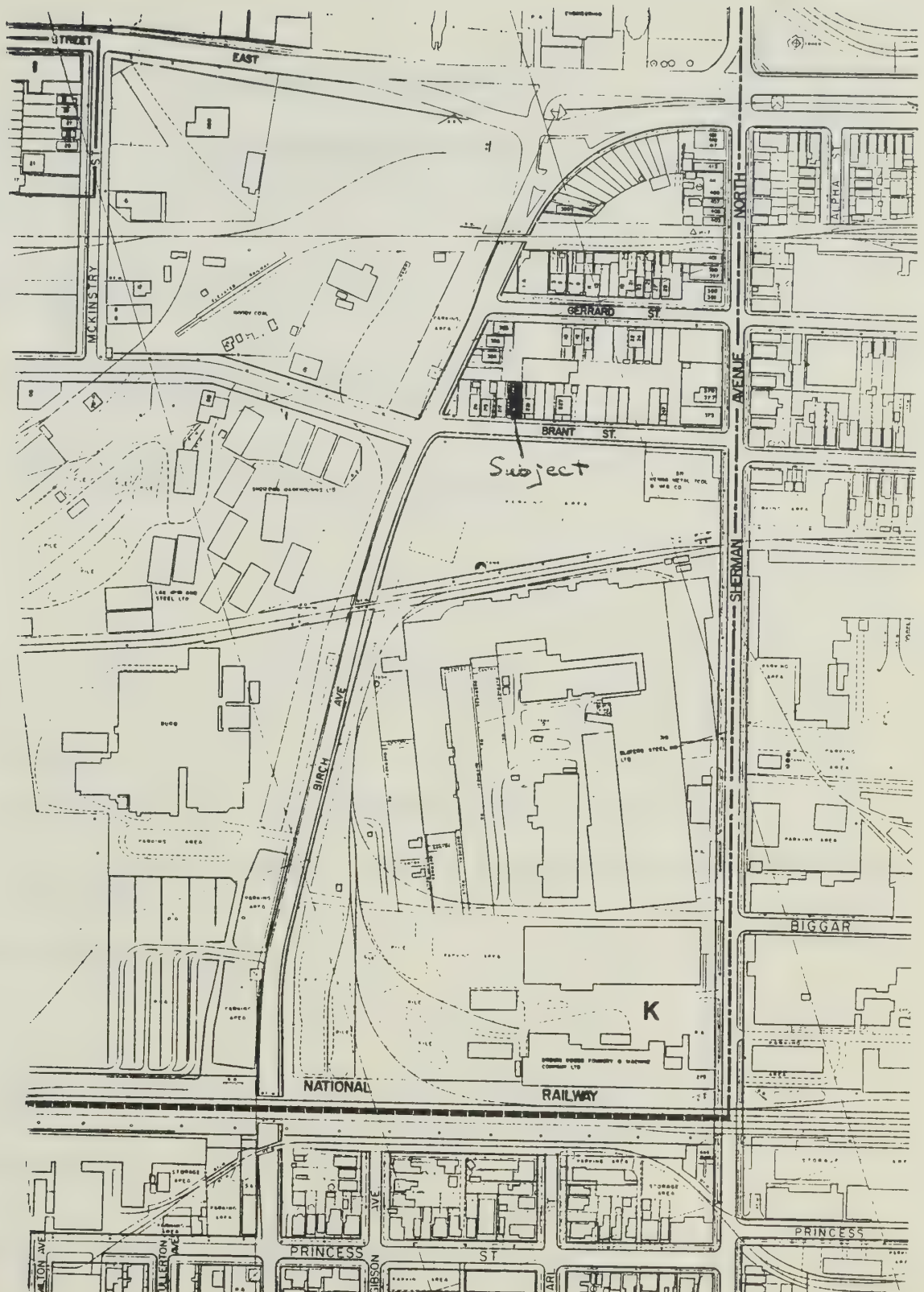
Mr. R. Douglas, Manager Field Surveys

A. L. Georgieff, M.C.I.P., Director, Local Planning Division

Mr. L. King, Building Commissioner

(100.11.133 - 4505)





		81
69	70	71
95	48	128

This is not a Legal Document  
For Zoning Verification Please  
Contact City Building Department.

CITY OF HAMILTON  
**INDUSTRIAL SECTOR**  
**'B' AND KEITH**  
**ZONING**

Neighbourhood Boundary  
Zoning Boundary.

0 100m  
SCALE 50m









4.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1990 November 13  
(734.1)

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee


**FROM:** Mr. J. D. Thoms  
Commissioner of Planning and Development

**SUBJECT:**

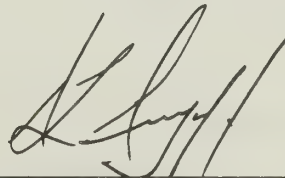
Proposed Renaming of a Road in the Eleanor Neighbourhood

**RECOMMENDATION:**

1. That the renaming of Alma Avenue to Eaglewood Drive be approved; and
2. That the City Solicitor be directed to prepare an appropriate by-law for the approval of City Council; and
3. That this by-law be duly registered.



J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A.L. Georgieff, M.C.I.P.  
Director - Local Planning

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

## ***BACKGROUND:***

At its meeting held on August 22, 1990, the Planning and Development Committee considered a request by the Hamilton Fire Department to rename Alma Avenue to Eaglewood Drive, because Alma Street exists in Dundas and Alma Lane in Ancaster.

City Council at its meeting held on August 28, 1990 approved the following recommendations of the Planning and Development Committee:

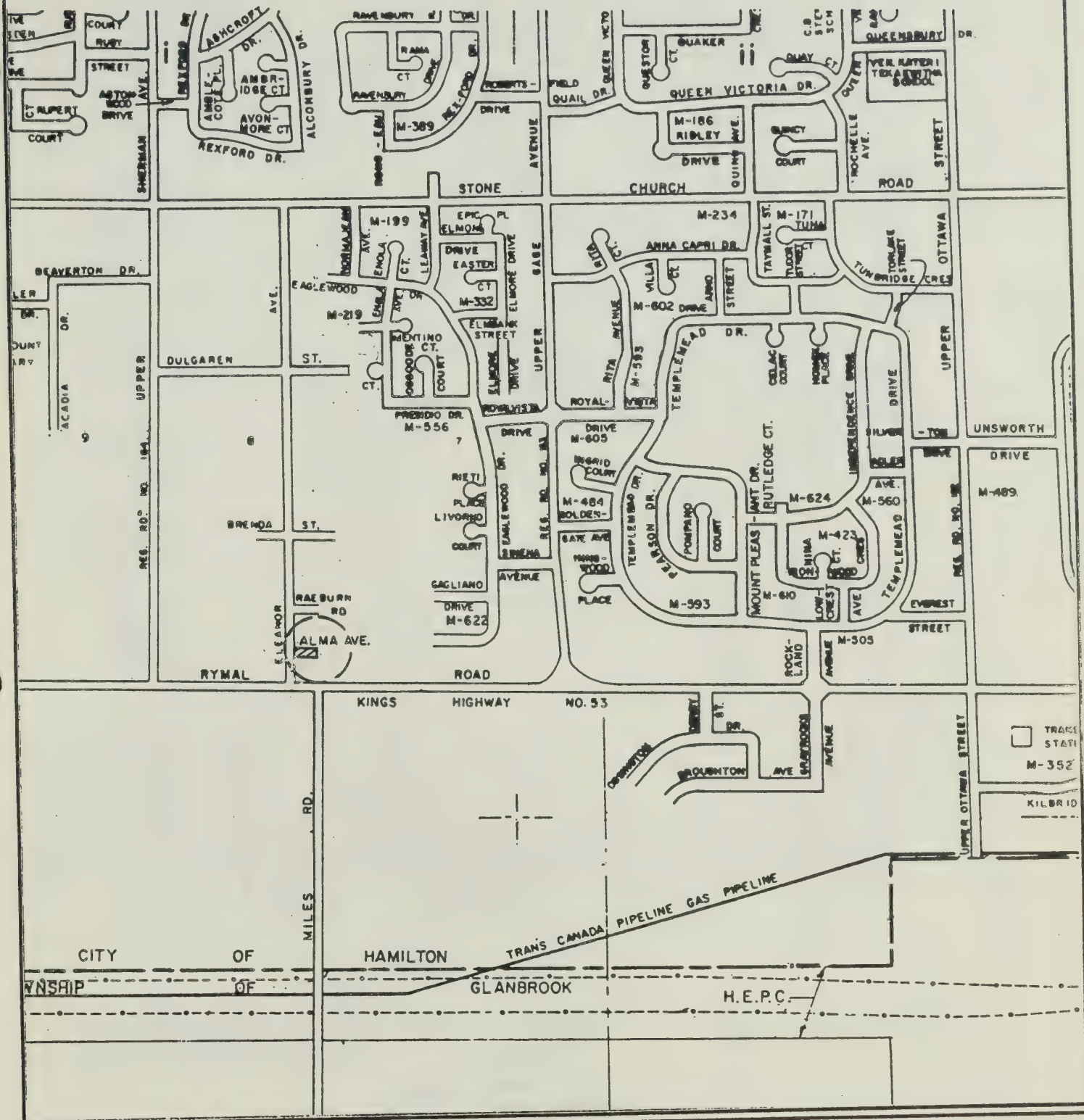
1. That approval be given to proceed with the required publication of a proposed by-law to rename Alma Avenue to Eaglewood Drive.
2. That approval be given to hold a public meeting to consider the passing of a by-law to change the name of Alma Avenue to Eaglewood Drive.

Subsequently, a draft by-law was duly published in the Hamilton Spectator for four consecutive Saturdays in September and October, 1990.

## **Comments**

The Planning and Development Department did not receive any written or verbal objections to this matter. Therefore, a public meeting is not required.





Location Plan For

ALMA AVENUE

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



PROPOSED STREET RENAMING

North



Scale  
N. T. S.

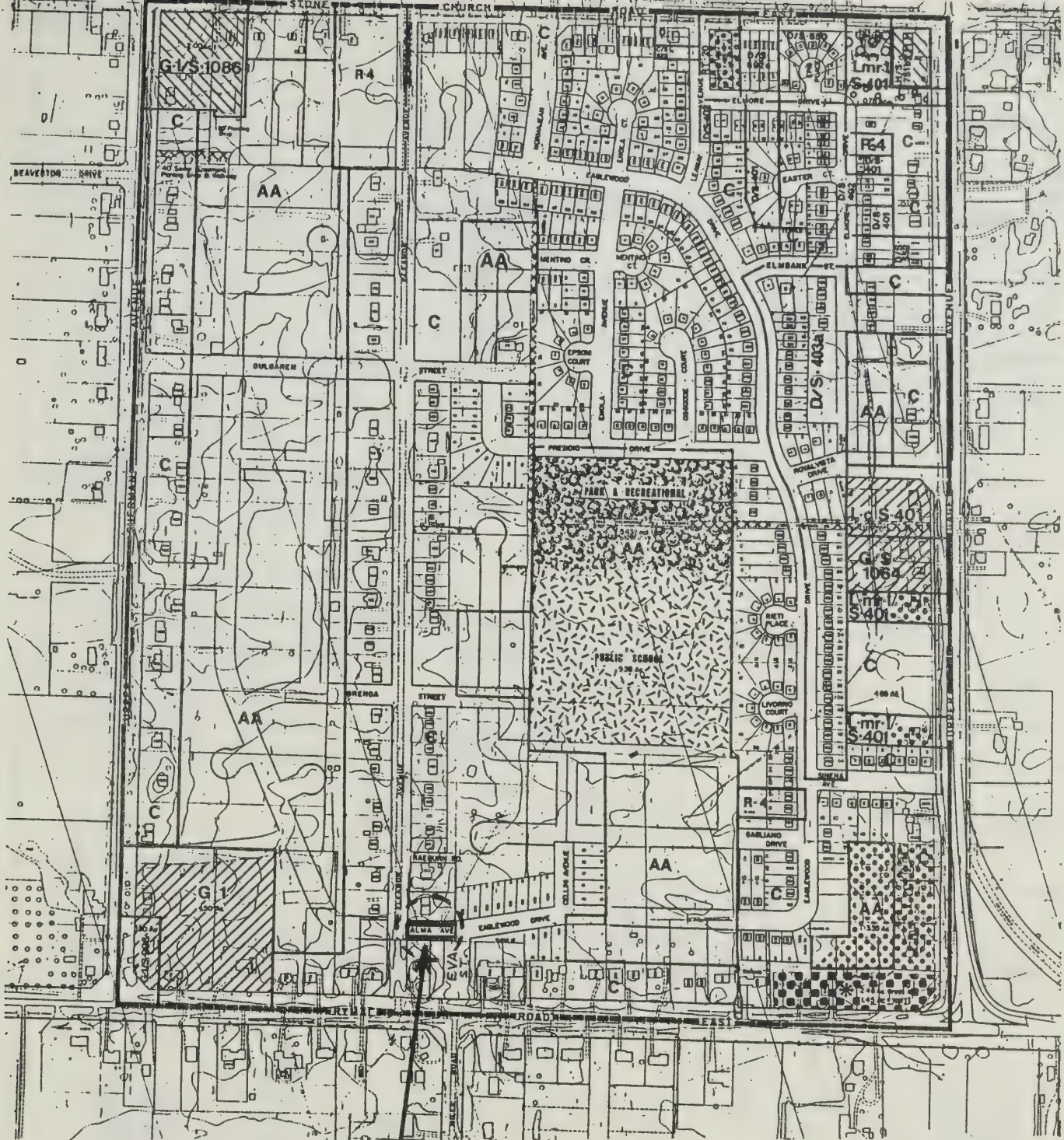
Date  
JULY 23, 1990

Reference File No.  
7341

Drawing No.







**SUBJECT STREET**

NOTE: This is a GUIDE PLAN only and is subject to change. For details contact the local planning division of the Regional Municipality of Hamilton-Wentworth.

### LAND USE RESIDENTIAL

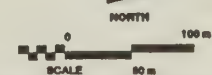
- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments
- (min. 50 % residential)
- COMMERCIAL
- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Approved  
Planning Committee JULY 5, 1978 Council NOV. 27, 1978  
Latest Revision Date APR. 24/90

**CITY OF HAMILTON**  
PLANNING DEPARTMENT

**ELEANOR**  
APPROVED PLAN

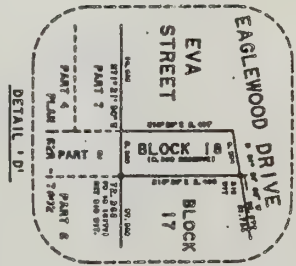
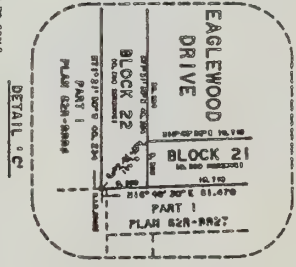
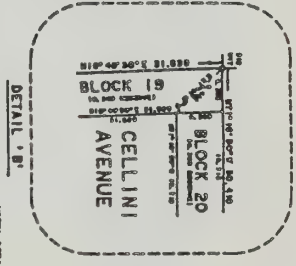
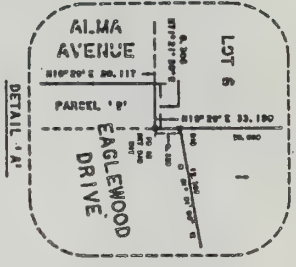


EXISTING POPULATION (1988) 1165

43



ELEANOR AVENUE  
(ESTABLISHED BY R.P. 683)



NETRIC

OPTIONAL MAPS FOR THIS PLAN ARE AVAILABLE FOR SALE AT THE OFFICE OF THE REGISTRAR OF DEEDS AND MORTGAGES, 1000 RYAN STREET, S.W., VANCOUVER, B.C. V6Z 1A1.

*[Signature]*  
REGISTERED PROFESSIONAL SURVEYOR  
B.C. REGISTRATION NO. 12345  
1000 RYAN STREET, S.W., VANCOUVER, B.C. V6Z 1A1

PLAN 628-143  
REGISTERED IN THE LAND REGISTRY OFFICE  
FOR THE LAND TITLES DIVISION OF VICTORIA  
AT 2:00 PM, OCTOBER 10, 1974, BY THE  
REGISTERED PROFESSIONAL SURVEYOR  
AND REGISTERED LAND AGENT  
REGISTERED AS PLAN DOCUMENT BY 4710/117

*[Signature]*  
LAND AGENT

257-87056

M-643

Bar-Brock Estates  
Phase Two

BEING A PLAN OF SUBDIVISION  
OF ALL OF  
PARCEL 1 B1  
FITZGERALD PARK SURVEY  
REGISTERED PLAN NO 1007  
LOTS 7 & 8, CONCESSION 8  
IN THE DISTRICT OF FRASER  
IN THE REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
SCALE 1:1000  
AS SHOWN ON THE PLAN

OWNER'S CERTIFICATE

I, the owner of the land shown on the plan, hereby certify that the plan is a true and correct representation of the land shown on the plan, and that the plan is a true and correct representation of the land shown on the plan, and that the plan is a true and correct representation of the land shown on the plan.

EXHIBIT'S CERTIFICATE

I, the owner of the land shown on the plan, hereby certify that the plan is a true and correct representation of the land shown on the plan, and that the plan is a true and correct representation of the land shown on the plan, and that the plan is a true and correct representation of the land shown on the plan.

NOTE

ALL DIMENSIONS ARE IN METERS  
AND ARE TO THE CENTER OF THE LOT

BAR-BROCK ESTATES LIMITED

LOT	AREA (SQ. M.)	AREA (AC.)
1	100.00	24.71
2	100.00	24.71
3	100.00	24.71
4	100.00	24.71
5	100.00	24.71
6	100.00	24.71
7	100.00	24.71
8	100.00	24.71
9	100.00	24.71
10	100.00	24.71
11	100.00	24.71
12	100.00	24.71
13	100.00	24.71
14	100.00	24.71
15	100.00	24.71
16	100.00	24.71
17	100.00	24.71
18	100.00	24.71
19	100.00	24.71
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86	100.00	24.71
87	100.00	24.71
88	100.00	24.71
89	100.00	24.71
90	100.00	24.71
91	100.00	24.71
92	100.00	24.71
93	100.00	24.71
94	100.00	24.71
95	100.00	24.71
96	100.00	24.71
97	100.00	24.71
98	100.00	24.71
99	100.00	24.71
100	100.00	24.71

TOTAL AREA

100.00 SQ. M.  
24.71 AC.

RYAN ROAD EAST  
ROAD ALONGSIDE BETWEEN THE GEOGRAPHIC TOWNSHIPS OF BAYTON AND STAYFORD  
FORMERLY THE CITY OF BAYTON



5.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1990 November 14  
P5-4-3-2-2

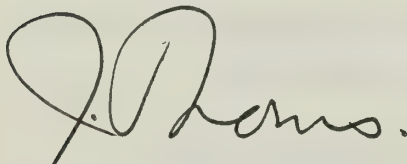
**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

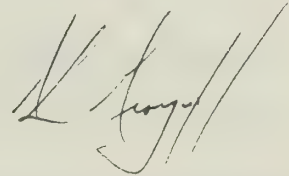
**SUBJECT:** Business Land Use Advisory Board  
- Revised Terms of Reference

**RECOMMENDATION:**

That the Planning and Development Committee recommend to Council that the attached Terms of Reference of the Business Land Use Advisory Board (see Appendix I attached) be adopted.



**J. D. Thoms, M.C.I.P.**  
**Commissioner**  
**Planning and Development Department**



**A. L. Georgieff, M.C.I.P.**  
**Director of Local Planning**

**EXPLANATORY NOTE**

The Business Land Use Advisory Board is requesting a revision to their Terms of Reference to:

- broaden their mandate to encompass business concerns;

- change the requirement of the Chairman of the Planning and Development Committee from being the chairman of the Board, in order to provide for a chairman and vice-chairman to be elected by the members;
- request the Hamilton-Wentworth Commissioner of Planning and Development and the Hamilton-Wentworth Director of Economic Development or their respective designates to attend meetings as advisors; and,
- clarify the question of the substitution of members at meetings and the constitution of a quorum.

***FINANCIAL/STAFFING/LEGAL IMPLICATIONS:***

N/A

***BACKGROUND and REPORT:***

The Business Land Use Advisory Board, at their meeting of November 5, 1990, discussed in some detail their Terms of Reference as endorsed by City Council in February 1989. As a result of this discussion, the Board adopted a new Terms of Reference for the consideration of Planning and Development Committee and Council. In summary, the changes from the 1989 Terms of Reference include:

- broaden the "MANDATE" to encompass business concerns in general, as opposed to limiting the focus to "industrial and other uses within industrial areas";
- change the requirement of the Chairman of the Planning and Development Committee (or his designate) from being chairman of the Board, in order to provide for the election of a chairman and vice-chairman of the Board. It should be noted that Alderman Lombardo suggested this change;
- clarify the role of the Region's Director of Economic Development and the Region's Commissioner of Planning and Development (or their designates) to being advisors to the Board;
- add a provision that no member can send a substitute if he/she cannot attend a meeting; and,



- add a provision for a quorum.

The Board, after adopting their new Terms of Reference, elected a new Chairman and Vice-Chairman: David Blanchard (representing the Chamber of Commerce), and Patrick Dillon (representing the Hamilton-Brantford Ontario Building Trades Council) respectively.

The members of the Board feel the above-noted changes will strengthen the membership and broaden the scope to provide more meaningful input into the planning process.

### *CONCLUSION*

On the basis of the foregoing, it is therefore appropriate to revise the Board's Terms of Reference (see Appendix I).

CF/dkp

A:\BLUAB





**TERMS OF REFERENCE  
FOR THE  
BUSINESS LAND USE ADVISORY BOARD  
OF THE  
CITY OF HAMILTON**

- PURPOSE:** To advise and make recommendations to the Planning and Development Committee of the City of Hamilton on land use planning issues which may affect the existing business community and/or the expansion thereof in the City of Hamilton with emphasis on the industrial sector.
- MANDATE:** To review land use planning issues relating to business concerns, including, but not limited to:
- The Official Plan and Amendments;
  - Neighbourhood Plans and Secondary plans;
  - Text amendments to the Zoning By-law;
  - Provincial legislation changes affecting land use planning for business; and,
  - Trends in industry and commerce which should be accommodated in land use planning.
- BOARD MEMBERS:**
- Chairman of the Planning and Development Committee or his designate;
  - A representative from the Chamber of Commerce;
  - Two representatives of the business community recommended by the Chamber of Commerce;
  - A representative from the Hamilton and District Labour Council;

- A representative from the Hamilton and District Building Trades Council;
- A representative from the Ministry of the Environment; and,
- Two citizen members appointed by Council for a term of office to expire with the term of Council;

No Board member will send a substitute if he/she cannot attend a meeting.

The Hamilton-Wentworth Commissioner of Planning and Development and the Hamilton-Wentworth Director of Economic Development (or his/her designate) will attend to advise the Board; but will not be members of the Board.

Chairman and Vice-Chairman of the Board will be elected by the members and will exclude the Chairman of the Planning and Development Committee.

A staff co-ordinator for the Board will be supplied by the Planning and Development Department. Other staff may be required to attend.

#### **QUORUM:**

Will consist of a majority, more than one-half of the members in attendance (i.e., total 9 members, 5 members will make a quorum).

#### **MEETINGS:**

At the call of the Chairman or as requested by a member of the Board through the Chairman.

#### **COMMUNICATION: (REPORTING PROCEDURES)**

- The Planning and Development Committee may refer items to the Board.
- The Planning and Development Department will forward items listed under "Mandate" to the Board for its consideration.



- A member may bring forward an item to be considered by the Board.
- Individual persons and/or groups may request, through the Chairman of the Board, to make a presentation.

CF/dkp

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# CITY OF HAMILTON

## - RECOMMENDATION -

6.

**DATE:** 1990 November 12  
(25T-90010; ZA-90-58)

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. J. D. Thoms  
Commissioner of Planning and Development

**SUBJECT:** Proposed Draft Plan of Subdivision  
Proposed Rezoning Application

### **RECOMMENDATION:**

#### **1. Subdivision Application**

- a) That approval be given to Application 25T-90010, Starward Homes, owner, to establish a draft plan of subdivision north of Stone Church Road West and west of Chesley Street, subject to the following conditions:
  1. That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated March 22, 1990, revised to show 10 lots, one block (Block "11") as a public walkway and one block (Block "12") as a 0.3m reserve.
  2. That the street be dedicated as a public highway and the walkway be dedicated as a public walkway to the City of Hamilton on the final plan.
  3. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4. That the final plan conform with the zoning by-law approved under The

Planning Act.

5. That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes.
  6. That such easements as may be required for utility and drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  8. That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Block "12"), to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  9. That prior to the final plan, sewers and watermains have been approved for construction on "Orchard Park Estates (25T-88003) and Harbottle Court (25T-89006).
  10. That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this proposed draft plan of subdivision 25T-90010, Starward Homes, owner, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

## 2. Rezoning Application

That approval be given to Zoning Application 90-58, Starward Homes, owner for a change



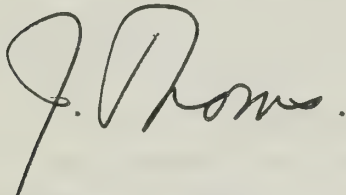
in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for land municipally known as No. 236 Stone Church Road West, as shown on the attached map marked as APPENDIX "A" on the following basis:

- i) That the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17C for presentation to City Council;
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

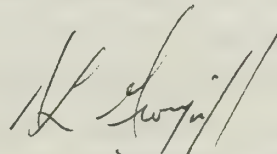
#### **Explanatory Note**

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property municipally known as No. 236 Stone Church Road West, as shown on the attached map.

The effect of the By-law is to permit single-family detached development on the subject lands.



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A. L. Georgieff, M.C.I.P.  
Director - Local Planning

#### **FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**Owner:

Starward Homes, Hamilton, Ontario

Surveyor:

A. J. Clarke and Associates Ltd., Hamilton, Ontario

Location:

The lands, comprising 0.71ha, are located north of Stone Church Road West and west of Chesley Street in the Gourley Neighbourhood, City of Hamilton.

History

- Previous Zoning Application

On August 13, 1987 the Planning and Development denied Zoning Application 86-43 for a change in zoning from "AA" (Agricultural) District to "B" (Suburban Agricultural and Residential, etc.) District to permit the severance of land for the construction of a single-family dwelling. The application was denied on the basis that it was premature in the absence of full municipal services and an Approved Neighbourhood Plan, and as such, conflicts with the land severance policies in both the Hamilton-Wentworth and City Official Plan.

- Severance Applications

On July 17, 1990 the Regional Land Division Committee considered and approved land severance applications H-117-90 and H-118-90 to permit the severance of the subject lands into three parcels for single-family development (see APPENDIX "B"). One of the conditions of approval of the Land Division Committee was that the lands be rezoned to permit the single-family development proposed. The lands to be retained are to be developed by way of a draft plan of subdivision (25T-90010).



## LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	single-family dwellings and vacant lands	"AA" (Agricultural) District
<u>Surrounding Lands</u>		
to the north	vacant lands and a single-family dwelling	"C"(Urban Protected Residential etc.) District
to the south	single-family dwellings	"AA" (Agricultural) District and "B" (Suburban Agriculture and and Residential, etc.) District
to the east	single-family dwellings	"AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District
to the west	single-family dwellings	"AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District

### Proposal - Subdivision

The owner proposes to subdivide the lands into 10 lots for single-family dwellings, one block as part of a walkway and one block as a 0.3m reserve. The lots will be serviced from the road to be established by this plan. Minimum size lots for the single-family dwellings will be a width of 12m and an area of 366m<sup>2</sup>.

### Proposal - Zoning

The owner has requested that the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District to allow for the development of single-family dwellings.

## EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Urban Policy Area - Residential and Related Uses". The proposal complies.

City of Hamilton Official Plan - the lands are designated "Residential". The proposal complies.

Neighbourhood Plan - the lands are designated for single and semi-detached units. The proposal complies.

Zoning - the lands are zoned "AA" (Agricultural) District. An Amendment to the zoning by-law is requested to permit the proposed development.

Niagara Escarpment - the lands are not within the "Development Control Area", therefore the regulations do not apply.

## COMMENTS FROM CIRCULATION

### 1. Subdivision Application

The following agencies have advised that they have no comment or objection toward the proposal:

- Ministry of Transportation;
- Ministry of the Environment;
- Ministry of Natural Resources;
- Ministry of Culture and Communications;
- Hamilton Region Conservation Authority;
- Ontario Hydro, Union Gas and Bell Canada;
- City of Hamilton Traffic Department (subject to revised lot line);
- City of Hamilton Building Department (subject to rezoning).

The Hamilton Wentworth Department of Engineering has submitted the following comments and recommendations:

"For Information:



1. The installation of municipal services (water, roadways, storm and sanitary sewers) for the proposed development is dependent on the servicing of lands to the north (Orchard Park Estates subdivision) and the east (Harbottle Estates subdivision).

**Recommendations:**

1. That all lots and blocks not be registered until the construction of services on Appleblossom Drive (Orchard Park Estates) and Harbottle Court (Harbottle Estates) have been approved for construction.
2. 0.3m reserve be established on the open side of the road allowance, on Harbottle Court.
3. That the owner make arrangements to acquire the full width of the public walkway or relocate the walkway so that the entire width falls within the boundary of the Orchard Park Addition subdivision.
4. The owner must enter into Subdivision Agreements with both the City and the Region prior to the development of any portion of these lands.

The submitted plan as prepared by D. G. Fraser, O.L.S. and dated March 22, 1990 (and stamped March 29, 1990) is satisfactory to the Department of Engineering, subject to the above-noted comments and recommendations".

**2. Rezoning Application**

- The Building Department, Traffic Department, Hamilton Region Conservation Authority and the Hamilton-Wentworth Regional Police Department have no comments or objections.
- The Hamilton-Wentworth Engineering Department have submitted comments in conjunction with subdivision application 25T-90010 (Orchard Park Estates Addition) which would apply to the subject rezoning application.

**COMMENTS**

**1. Subdivision Application**

- 1) This report deals with and includes recommendations in regard to a proposed draft plan of subdivision and a proposed amendment to the zoning by-law to implement the plan.
- 2) As no part of the subject land is designated for park or recreational use in the approved neighbourhood plan, it is recommended that the parkland requirement for this subdivision be taken as cash-in-lieu of land.
- 3) The revision to the plan establishing the 4.57m (15 ft) walkway extending the walkway from "Orchard park Estates" (25T-88003) toward Harbottle Court was confirmed at the Committee meeting held July 25, 1990 which addressed a proposed revision to "Orchard Park Estates".

## 2. Rezoning Application

The proposal has merit and can be supported for the following reasons:

- it implements the intent of both the Official Plan and the approved Gourley Neighbourhood Plan;
- it would be compatible with existing and future planned single-family development in this area;
- the proposed lots would satisfy the requested "C" (Urban Protected Residential, etc.) District regulations;
- it implements the condition of rezoning imposed by the Regional Land Division Committee in conjunction with land severance applications H-117-90 and H-118-90.

## CONCLUSIONS

On the basis of the foregoing, the application can be supported.

JLS/jd

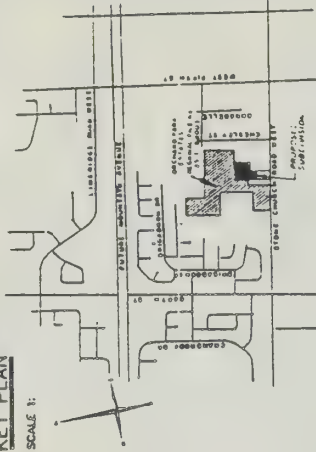
ACTION90.010





# KEY PLAN

SCALE 1:



## DRAFT PLAN OF:

*Orchard Park Estates Addition*

BEING A PROPOSED SUBDIVISION OF  
PART OF LOT 17 - CONCESSION 7  
GEOGRAPHIC TOWNSHIP OF BARTON

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1:1000

D.G. FRASER O.L.S.-1990

NOTE: THIS IS A DRAFT PLAN ONLY AND IS SUBJECT TO REVISION AND AMENDMENT.  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED  
TO FEET BY DIVIDING BY 0.3048

RE: CHAPTER ONE-R.S.O.-1983 SECTION 50(1) THE PLANNING ACT

- A. SHOWN ON PLAN
- B. SHOWN ON PLAN
- C. SHOWN ON PLAN
- D. SEE LAND USE SCHEDULE
- E. SHOWN ON PLAN
- F. SHOWN ON PLAN
- G. SHOWN ON PLAN
- H. MANHOLE PIPED WATER AVAILABLE
- I. CLAY LOAM
- J. SHOWN ON PLAN
- K. MANHOLE SERVICES TO BE INSTALLED BY SUBDIVISION
- L. MORE

## SURVEYOR'S CERTIFICATE:

I, CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN HAVE BEEN MEASURED AND FOUND TO BE ACCURATELY AND CORRECTLY SHOWN.

MARCH 22, 1990

DATE

D.G. FRASER

ONTARIO LAND SURVEYOR

## OWNER'S AUTHORIZATION:

BEING THE REGISTERED OWNERS OF THE SUBJECT LANDS HEREBY AUTHORIZE A.J. CLARKE AND ASSOCIATES LTD. TO PREPARE AND SUBMIT THIS DRAFT PLAN TO THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH FOR THEIR APPROVAL.

MARCH 22, 1990

DATE

WARD CAMPBELL, PRESIDENT

## LAND USE SCHEDULE:

TOTAL AREA OF SUBDIVISION = 0.712 (1.75 acres)  
LOTS 1 TO 10 - PROPOSED SINGLE FAMILY RESIDENTIAL

## SUBDIVISION DRAFT APPROVAL:

APPROVED UNDER SECTION 50 OF THE PLANNING ACT BY THE COMMISSIONER REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AUTHORIZED BY 81-LAW NO. R88-171

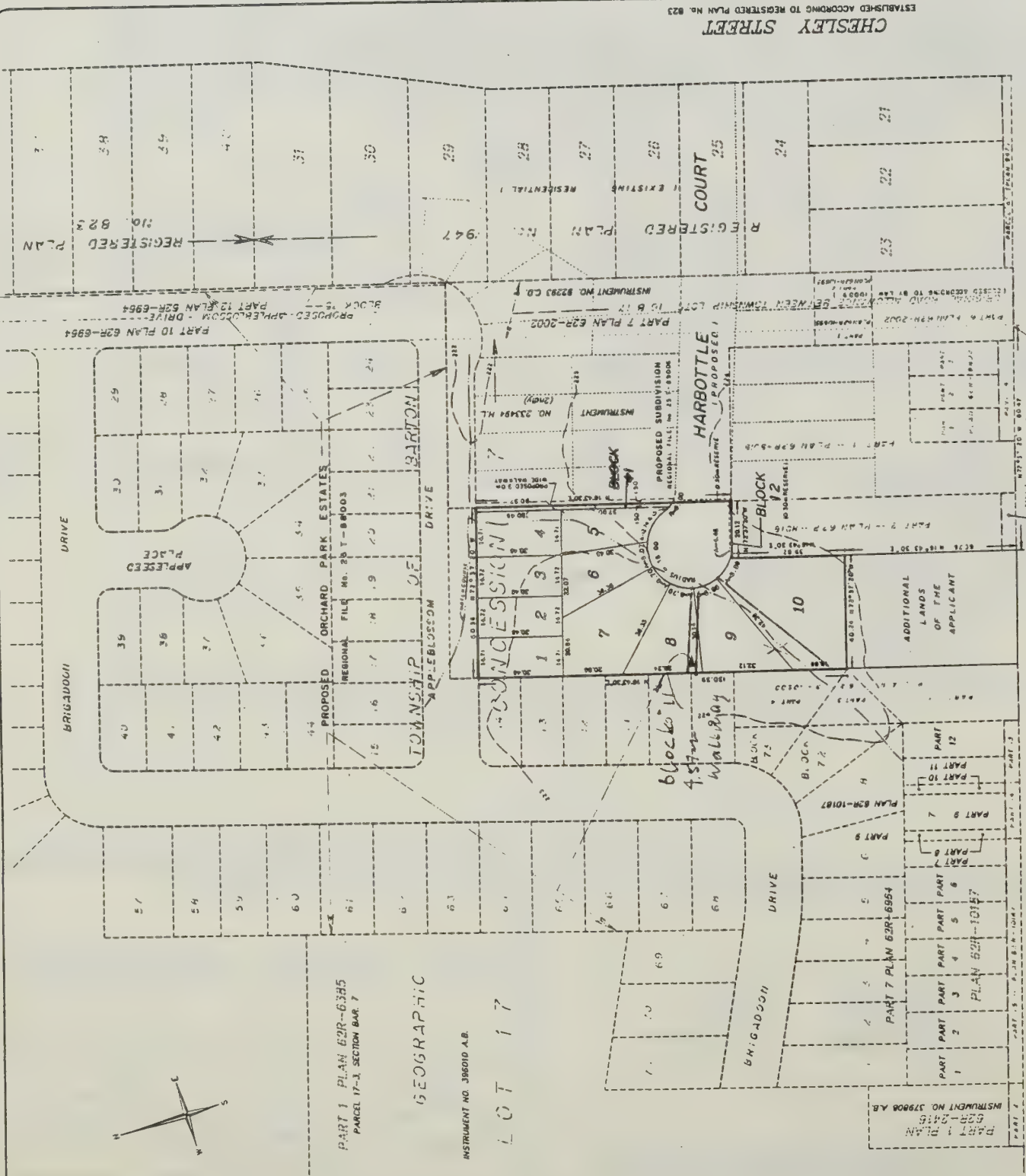
COMMISSIONER OF PLANNING AND DEVELOPMENT  
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
AUTHORISED BY 81-LAW NO. R88-171

DATE 123 - 123 AM

AND ONTARIO LAND SURVEYOR

SOUTH - HAMILTON - DARTMOUTH - 234

**A. J. Clarke and Associates Ltd.**



(ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSION 7 & 8)

STONE CHURCH ROAD WEST

LOT 17

INSTRUMENT NO. 386010 A.B.

PART 1 PLAN E2R-6385

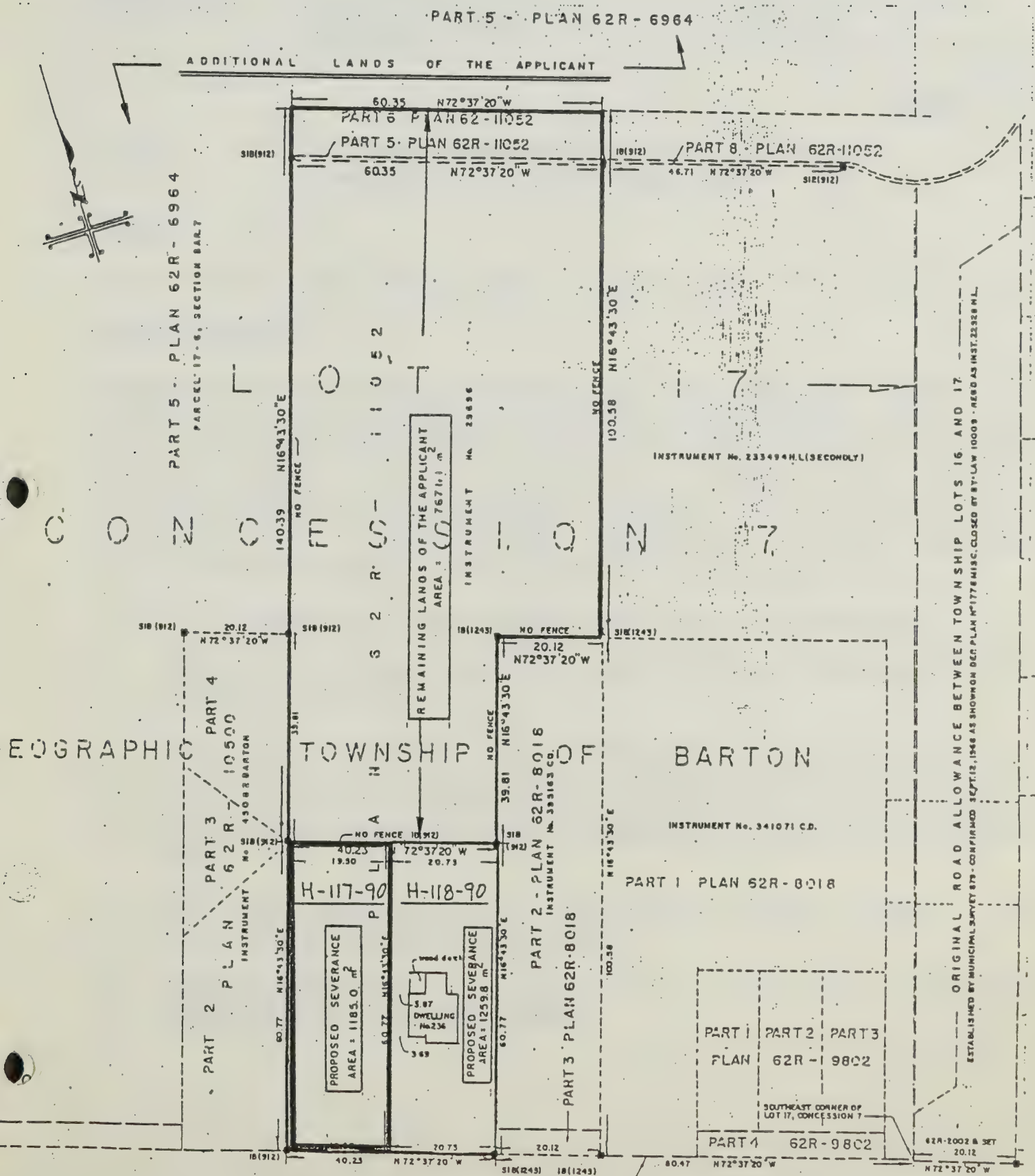
PARCEL 17-3, SECTION BAR 7



- LEGEND
- DENOTES A SURVEY MONUMENT PLANTED
  - DENOTES A SURVEY MONUMENT FOUND
  - SIB DENOTES A STANDARD IRON BAR
  - 1B DENOTES AN IRON BAR
  - 9' DENOTES A.J. CLARKE O.L.S.
  - 1B DENOTES E. BARICH O.L.S.

APPENDIX B

A.J. CLARKE AND ASSOCIATES LTD.  
ONTARIO LAND SURVEYORS' CONSULTING ENGINEERS







## FOR ACTION

**REPORT TO:**

SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

DATE: November 13, 1990

COMM. FILE:

DEPT. FILE:

ZA-90-63

Jerome  
Neighbourhood

**FROM:**

J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Request for changes in zoning - lands municipally known as Nos. 1209 to 1223 Upper James Street.

**RECOMMENDATION:**

That approval be given to amended Zoning Application 90-63, Vorelco Limited, owner, requesting changes in zoning from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc.- Holding) District (Block "1"); from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District (Block "2"); from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District (Block "3"); and for a modification to the "HH" (Restricted Community Shopping and Commercial) District (Block "4") to permit single-family development on Block "1" and retail commercial development on Blocks "2", "3" and "4", for property municipally known as Nos. 1209-1223 Upper James Street, as shown on the attached map marked as APPENDIX "B", on the following basis:

- i) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, to the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed.

Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers serving the subject lands as the City deems necessary and passage of an amending by-law. City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law by enactment of an amending by-law once municipal sewers have been installed.

- ii) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. Holding) District;
- iii) That the lands described as Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;

- iv) That the lands described as Block "3" be rezoned from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- v) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to Blocks "2", "3" and "4", as shown on the attached map marked as APPENDIX "B", be modified to include the following variances as special requirements:
  - 1. That notwithstanding Section 14A(3)(a) a minimum front yard of 24.0 m shall be provided and maintained;
  - 2. That a minimum 3.0 m wide landscaped strip, excluding any vehicular access, be provided and maintained adjacent to the Upper James Street road allowance;
  - 3. That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 6.0 m wide to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2";
- vi) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on Zoning District Map E-9B be notated S- ;
- vii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9B for presentation to City Council;
- viii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE

The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, on the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Block "1" until municipal sewers are installed. Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers as the City deems necessary and the passage of an amending By-law by the City Council to remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in the amending By-law outlined below.

The purpose of the By-law is to provide for changes in zoning for property municipally known as Nos. 1209-1223 Upper James Street, as shown on the attached map marked as APPENDIX "B", on the following basis:

Block "1" - Change from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;

- Block "2" - Change from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- Block "3" - Change from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- Block "4" - Modification to the "HH" (Restricted Community Shopping and Commercial) District.

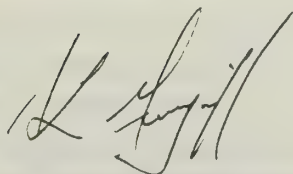
The effect of the By-law is to permit development of the subject lands for the following uses:

Block "1" - single-family dwellings;

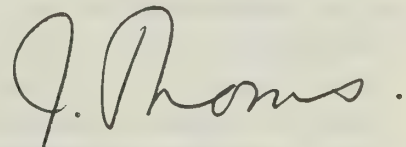
Blocks "2"  
"3" and "4" - retail commercial.

In addition, the By-law provides for the following variances as special requirements:

- to require a minimum 24.0 m building setback from the front lot line (Upper James Street) for Blocks "2", "3" and "4";
- to require a minimum 3.0 m wide landscaped strip, excluding vehicular access, to be provided and maintained adjacent to the Upper James Street road allowance;
- to require a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained within a 6.0 m wide landscaped strip to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2".



**A. L. Georleff, M.C.I.P.**  
Director of Local Planning



**J. D. Thoms, M.C.I.P.**  
Commissioner  
Planning and Development Department

#### **FINANCIAL IMPLICATIONS**

N/A



## BACKGROUND

- Proposal

It is the applicant's intention to rezone the subject lands to permit the development of Block "1" for single-family dwellings, and Block "2" and "3" for retail commercial uses in conjunction with adjoining commercially zoned lands fronting onto Upper James Street. (see APPENDIX "A").

- By-law 85-227

On October 29, 1985 City Council passed By-law 85-227 respecting part of lands at No. 1209 Upper James Street by providing for a modification to the "AA" District to permit the temporary parking of motor vehicles in accordance with Section 38 of The Planning Act R.S.O. 1983.

- Land Severance Applications

### H-62-85

At its meeting held on December 17, 1985 the Regional Land Division Committee considered and approved land severance application H-62-85 for consent to convey a parcel of land measuring 186.14' x 400' for commercial purposes and to retain a parcel of land measuring 186.14' x 1,300.1' for vacant commercial and agricultural purposes. The land severance was conditional upon the applicant receiving final approval of a zoning change (see APPENDIX 'C'). No further action took place regarding this application and as a result, the consent approval lapsed.

### H-80-87

At its meeting held on May 19, 1987 the Regional Land Division Committee considered land severance application H-80-87 to convey a parcel of land measuring 371.81' x 900' to remain as vacant agricultural lands and to retain a parcel of land measuring 372.28' x 400' which is also vacant for a future commercial development (see APPENDIX "D"). The application was deferred at the request of the applicant pending discussions with the Planning and Development Department. No further discussions took place and consequently the file was closed.

### H-97-90

At its meeting held on May 29, 1990 the Regional Land Division Committee considered and approved land severance application H-97-90 to convey a commercial parcel having a width of 122.28' and to retain a commercial parcel having a width of 250', each with a depth of approximately 400' in accordance with the approved Jerome Neighbourhood Plan. (see APPENDIX "E"). As a condition of approval, the applicant was required to submit proof of final approval of any necessary change of zoning, which is the subject of this rezoning application.

H-98-90

At its meeting held on May 29, 1990 the Regional Land Division Committee considered and approved land severance application H-98-90 to convey a parcel of land having an area of 7.469 acres for residential purposes and to retain a commercial parcel with a width of 250' and a depth of approximately 400' in accordance with the approved Jerome Neighbourhood Plan. (see APPENDIX "E"). As a condition of approval the applicant is required to submit proof of final approval of any necessary change of zoning.

APPLICANT

Vorelco Limited, owner.

LOT SIZE AND AREA

- 113.47 m (372.28 ft.) of lot frontage on Upper James Street.
- 396.0 m (1,299.25 ft.) of lot depth; and,
- 4.50 ha (11.242 ac) of lot area.

LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	vacant	"AA" (Agricultural) District  "HH" (Restricted Community Shopping and Commercial) District
<u>Surrounding Lands</u>		
to the north	hotel and vacant lands	"HH" (Restricted Community Shopping and Commercial) District and "AA" (Agricultural) District
to the south	single-family dwellings	"C" (Urban Protected Residential, etc.) District
to the east	vacant	"AA" (Agricultural) District
to the west	vacant	"HH" (Restricted Community Shopping and Commercial) District

## OFFICIAL PLAN

Block "1" is designated "RESIDENTIAL" and Blocks "2" and "3" are designated "COMMERCIAL" on Schedule "A" - Land Use Concept Plan of the Official Plan. In addition, the "COMMERCIAL" designated lands are situated within "SPECIAL POLICY AREA 31" on Schedule "B" Special Policy Areas of the Official Plan.

The proposal complies with the intent of the Official Plan.

## NEIGHBOURHOOD PLAN

Block "1" is designated "SINGLE and DOUBLE RESIDENTIAL" and Blocks "2" and "3" are designated "COMMERCIAL" on the approved Jerome Neighbourhood Plan. In addition, the Neighbourhood Plan requires a 20' wide landscaped strip to be provided on the "Commercially" designated lands where they adjoin "Residentially" designated lands. The proposal complies with the intent of the approved Jerome Neighbourhood Plan.

## COMMENTS RECEIVED

- The Building Department, Traffic Department, Hamilton Region Conservation Authority and Hamilton-Wentworth Regional Police Department, and Freeway Corridor Project Office have no comments or objections.
- The Hamilton-Wentworth Engineering Department has advised that:

"...there are external public watermains and separate storm and sanitary sewers available to service the subject lands fronting Upper James Street. The rear lands must be serviced through a Draft Plan of Subdivision.

In conjunction with this application, the applicant has also submitted Land Severance application H-97 and 98-90. The lands to be rezoned for commercial will be developed in conjunction with the existing commercial lands adjacent to Upper James Street. As a condition of Land Severance approval, we recommend road widening along Upper James Street adjacent to both the retained and severed lands be dedicated to the Region.

All other details with respect to grading, setbacks, etc. can be finalized at such times as the site plans are submitted for our review. Any roadway improvements required as a result of this application may be at the expense of the owner/applicant. The lands to be rezoned "C", will be required to be developed through a satisfactory plan of Subdivision. Included in this property is the northerly extension of Ridge Street and two (2) east-west cul-de-sacs.

The application should be circulated to the Freeway Project Office for their comments on the proximity of access(es) to the proposed freeway interchange on Upper James Street.



For the information of the applicant, the horizontal s-bend curve at the northerly extension of Ridge Street must be designed in accordance with our geometric design criteria. Detailed comments will be submitted at such time as the draft plans of Subdivision are submitted for our review."

## **COMMENTS**

1. The proposal complies with the intent of the Official Plan.
2. The proposal complies with the intent of the approved Jerome Neighbourhood Plan.
3. The proposal has merit and can be supported for the following reasons:
  - it implements the intent of both the Official Plan and the Jerome Neighbourhood Plan;
  - it would be compatible with existing and future development contemplated in this area; and,
  - the requested changes in zoning are appropriate for the proposed development.
4. In accordance with the provisions of the approved Jerome Neighbourhood Plan and the Design Guidelines for the Upper James Street Corridor, the following special provisions should apply to the applicants lands currently zoned "HH" (Block "4") (Schedule "B") fronting onto Upper James Street to ensure that aspects such as location of landscaping, access points, parking areas and building setbacks are adequate and uniform. The following special requirements should apply as a condition of approval of this application and should be incorporated in the amending By-law:
  - a) a minimum front yard of 24 m should be provided and maintained adjacent to Upper James Street;
  - b) a minimum 3.0 m wide landscaped area, excluding any vehicular access should be provided and maintained adjacent to the Upper James Street road allowance;

In addition to the foregoing conditions, the following condition should apply to ensure that adjoining residentially zoned lands are screened and buffered from the effects of commercial development on Block "2":

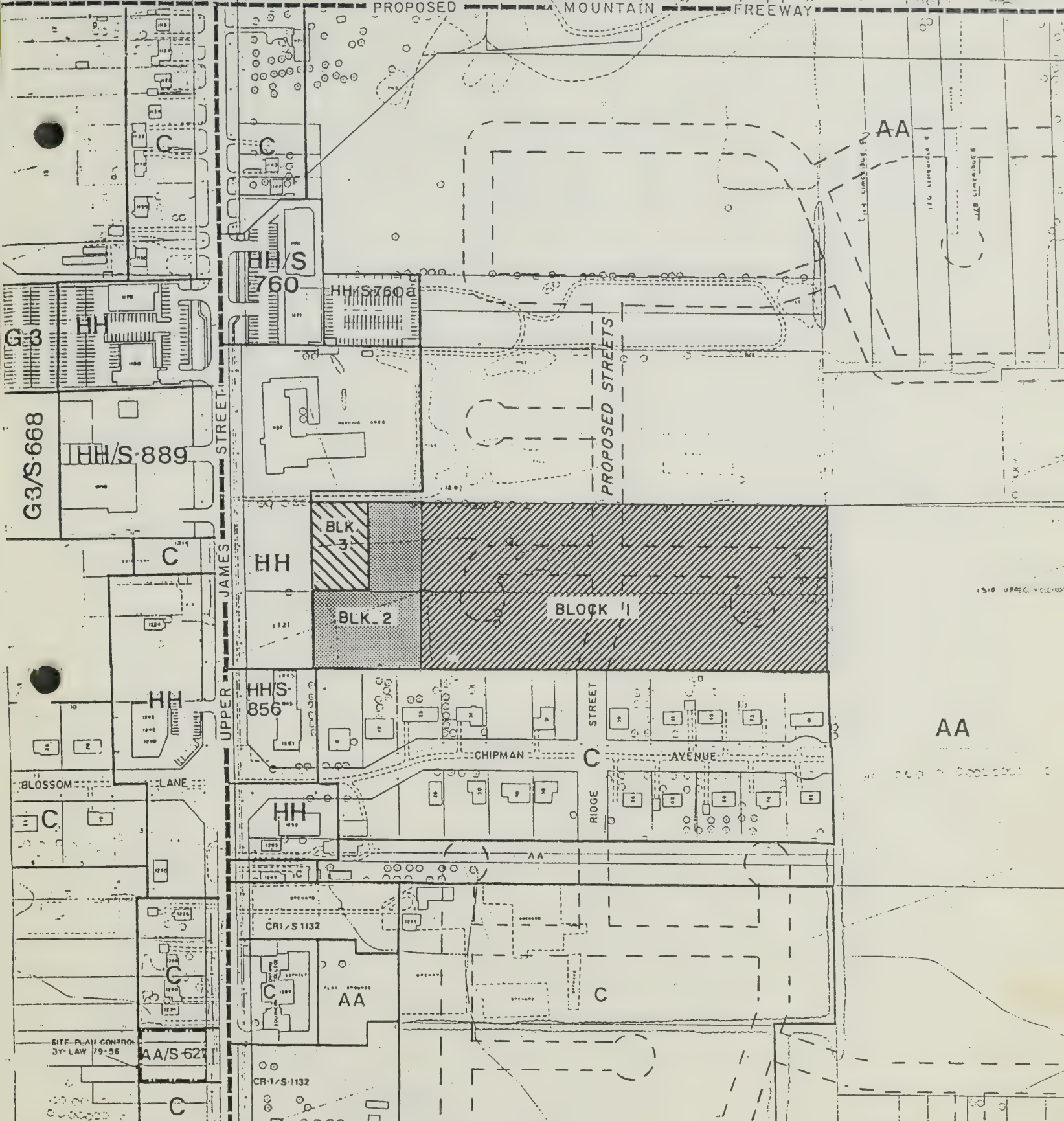
- a) that a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 6.0 m wide to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2".

5. The lands within the "C" District (Block "1") should be developed in accordance with a draft plan of subdivision. To date, a draft plan of subdivision has not been received for consideration. Since the lands cannot be serviced with municipal sewers until such time as lands to the south of Chipman Avenue are developed and services extended via Ridge Street, it is suggested that Block "1" be placed in a "HOLDING" category. In this regard, the lands would be subject to Section 35(1) of the Planning Act, whereby Council may, in a By-law, use a holding symbol 'H' in conjunction with any Zoning District and specify the use to which lands, buildings, or structure may be put at such time in the future as the holding symbol is removed by an amendment to the By-law.
6. Development of the lands within the "HH" (Restricted Community Shopping and Commercial) District is subject to the provisions of Site Plan Control By-law 79-275 as amended by By-law 87-223. Matters such as road widenings, access, parking, loading, landscaping, grading, fencing, lighting, signs, etc. can be further reviewed at the site plan approval stage of development.

#### CONCLUSION


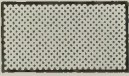

On the basis of the foregoing, the application can be supported.

GAW/ma  
WPZA9063



### LEGEND

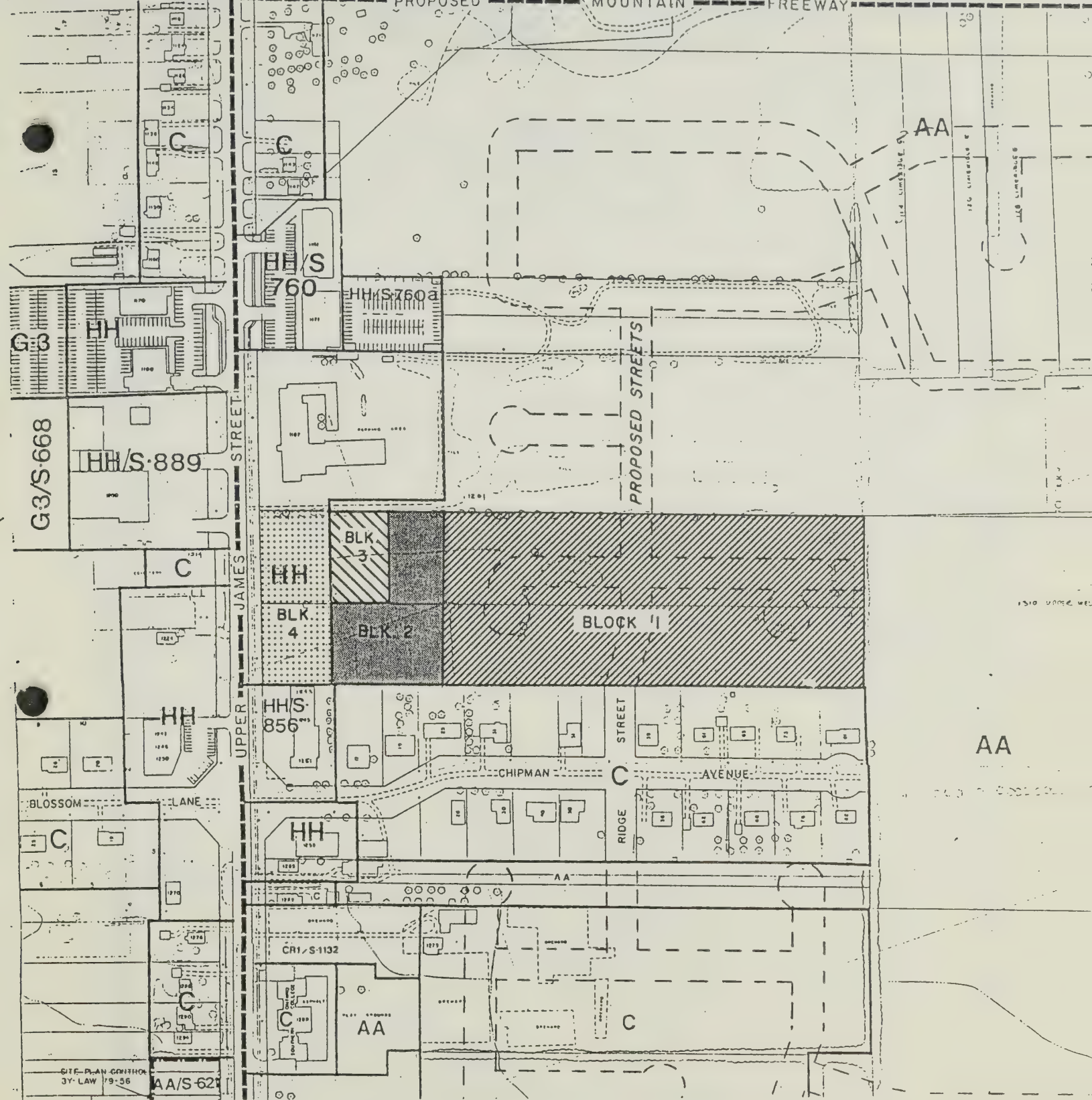
#### PROPOSED CHANGE IN ZONING FROM:

-  BLOCK 1 "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.
-  BLOCK 2 "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.
-  BLOCK 3 "AA" (AGRICULTURAL) DISTRICT, MODIFIED TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.









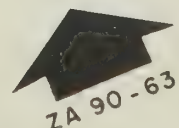




## LEGEND

### PROPOSED CHANGE IN ZONING FROM:

- |         |   |   |
|---------|---|---|
| BLOCK 1 |  | "AA" (AGRICULTURAL) DISTRICT TO "C" - "H" (URBAN PROTECTED RESIDENTIAL, ETC.) HOLDING DISTRICT.         |
| BLOCK 2 |  | "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.           |
| BLOCK 3 |  | "AA" (AGRICULTURAL) DISTRICT, MODIFIED TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT. |
| BLOCK 4 |  | MODIFICATION TO THE "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.                       |







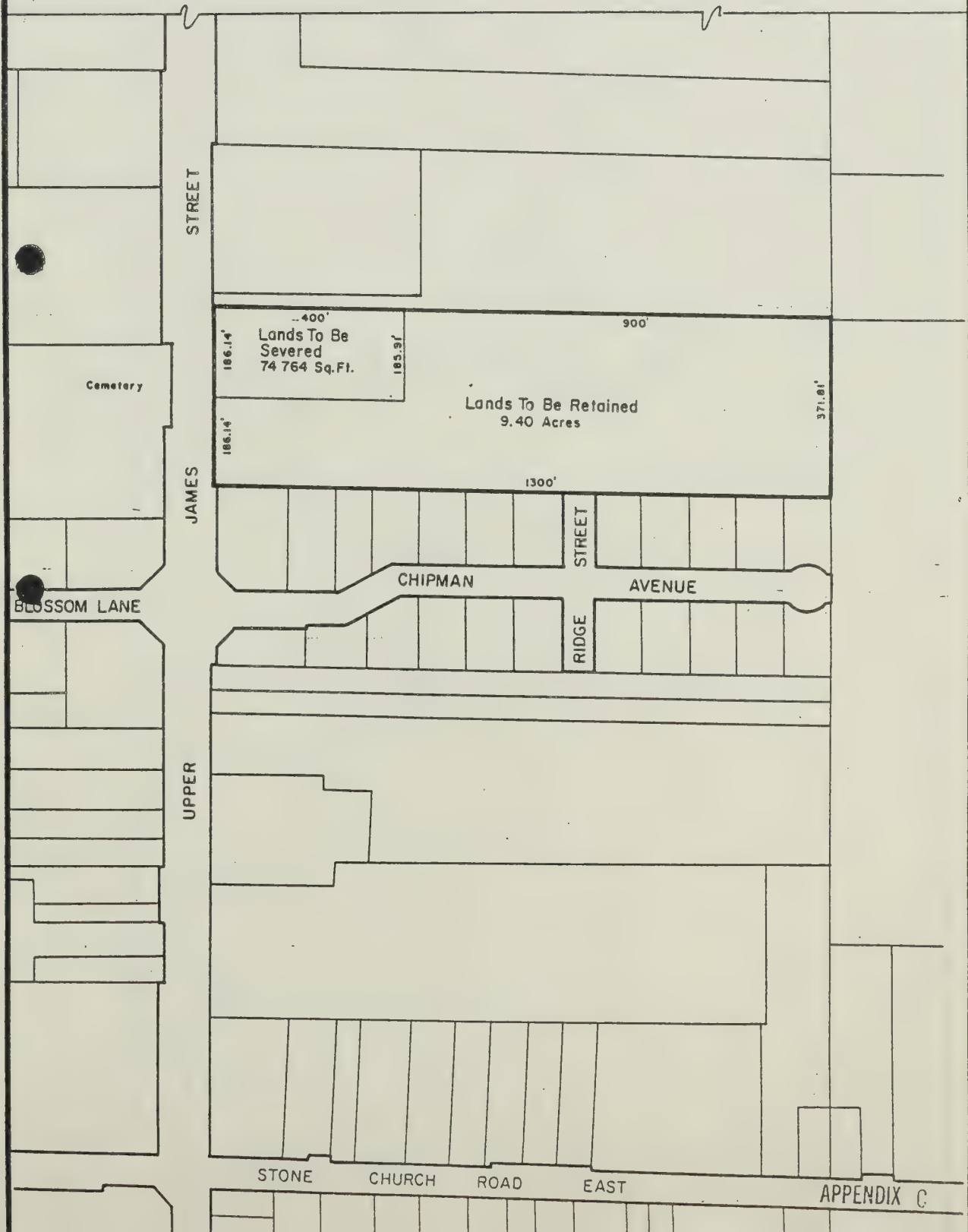
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH  
LAND DIVISION COMMITTEE

FILE NO: H-62-85

DATE: MAY 27, 1985

SCALE: NOT TO SCALE

PLAN SHOWING  
PART OF LOT 14 - CON. 7  
FORMERLY TOWNSHIP OF BARTON  
NOW IN THE  
CITY OF HAMILTON

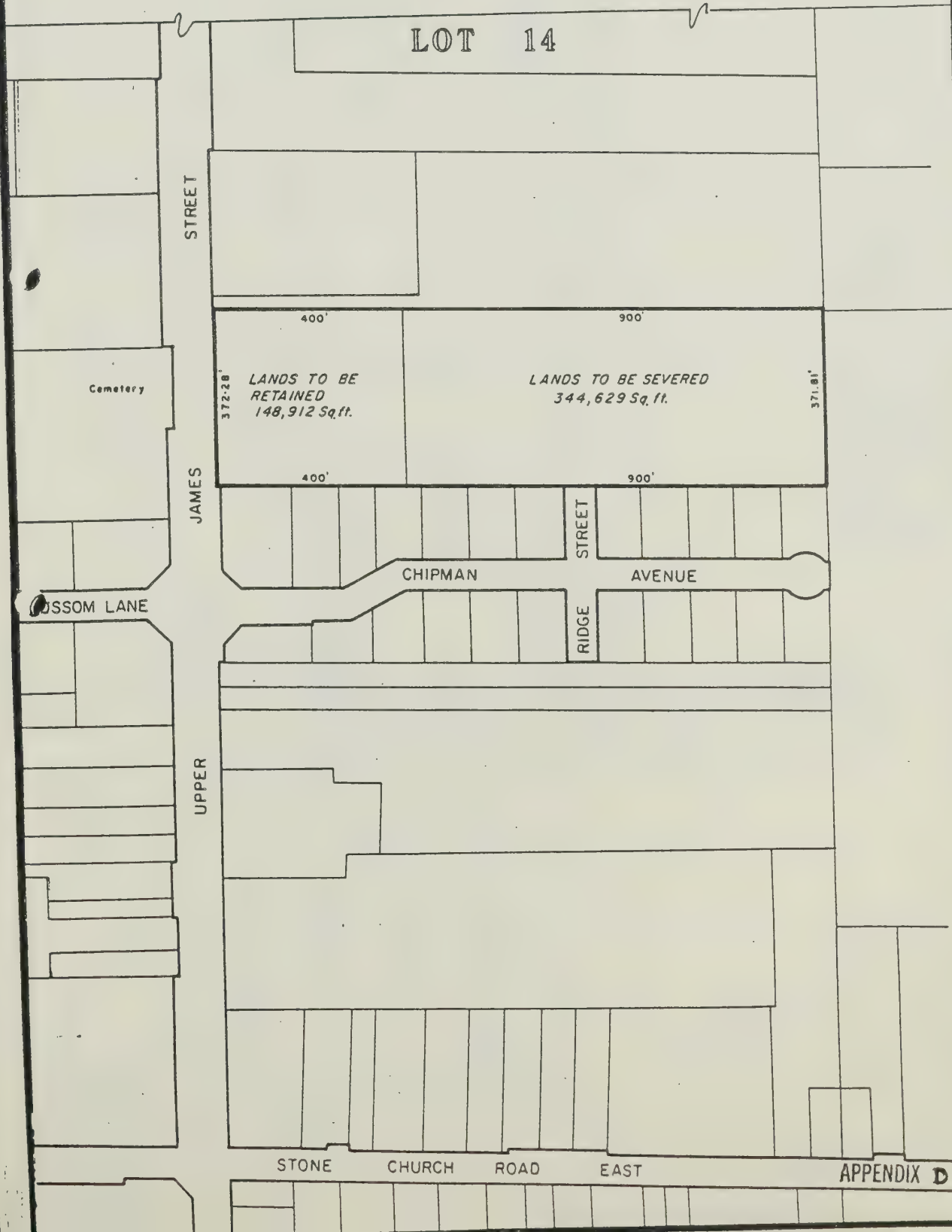




THE REGIONAL MUNICIPALITY OF HAMILTON NENTWORTH  
LAND DIVISION COMMITTEE

FILE NO: H-80-87  
DATE: APRIL 26, 1987  
SCALE: NOT TO SCALE

PLAN SHOWING  
PART OF LOT 14 - CON. 7  
FORMERLY TOWNSHIP OF BARTON  
NOW IN THE  
CITY OF HAMILTON













# FOR ACTION

8.

**REPORT TO:**

SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

DATE: November 6, 1990

COMM. FILE:

DEPT. FILE: ZA-90-75

Hannon West  
Neighbourhood

**FROM:**

J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT**

Request for a modification in zoning - No. 1650 Upper Ottawa Street.

**RECOMMENDATION**

That approval be given to Zoning Application 90-75, A-1 Towing, lessee, requesting a modification to the established "M-15" (Prestige Industrial) District regulations, to allow, in addition to the other permitted uses, the establishment of a towing service and storage compound, for property located at No. 1650 Upper Ottawa Street, as shown on the attached map marked as APPENDIX "A", on the following basis:

- i) That the "M-15" (Prestige Industrial) District regulations, as contained in Section 17G of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special provision:
  - a) That notwithstanding Section 17G(1)(b), the following additional COMMERCIAL use shall be permitted:

Use Not Prohibited

S.I.C. Number

Other Motor Vehicle Services, n.e.c.

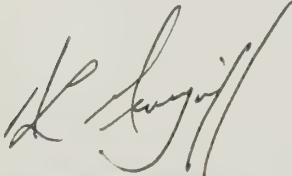
6399

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and the subject lands on Zoning District Map E-49E be notated S- ;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council; and,
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

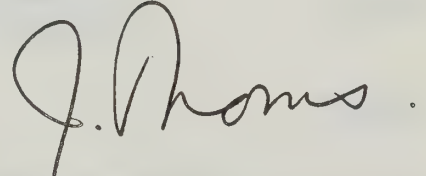
## **EXPLANATORY NOTE**

The purpose of the By-law is to provide for a modification to the established "M-15" (Prestige Industrial) District regulations for property located at No. 1650 Upper Ottawa Street, as shown on the attached map.

The effect of the By-law is to allow, in addition to the other permitted uses, the establishment of a motor vehicle towing service and storage compound.



**A.L. Georgieff, M.C.I.P.**  
Director of Local Planning



**J.D. Thoms, M.C.I.P.**  
Commissioner  
Planning and Development Department

## **FINANCIAL IMPLICATIONS**

N/A

## **BACKGROUND**

- **Proposal**

The applicant currently operates A-1 Towing from a location on Upper Wentworth Street. Its present location has been sold for another purpose and the applicant is seeking to relocate the business to the subject property.

- **Development Agreement 88-26**

On May 20, 1988, this Development Agreement was signed for No. 1650 Upper Ottawa Street. The agreement was for development of the subject lands as a contractors yard and maintenance depot.

## **APPLICANT**

A-1 Towing Inc., lessee.

## **LOT SIZE AND AREA**

The subject property is irregular in shape and has:

- 30.48 m (100 feet) of lot frontage on Upper Ottawa Street;

- 187.449 m (615 feet) of lot depth; and,
- 4646.37 m<sup>2</sup> (1.15 acres) of lot area.

### LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	sewer contractor	"M-15" (Prestige Industrial) District
<u>Surrounding Lands</u>		
to the north	vacant	"M-15" (Prestige Industrial) District and "M-15" (Prestige Industrial) District, modified
to the south	vacant	"M-15" (Prestige Industrial) District
to the west	Trans Canada pipeline station	"M-12" (Prestige Industrial) District
to the east	Regional Transfer Station	"M-15" (Prestige Industrial) District, modified

### OFFICIAL PLAN

Designated "INDUSTRIAL" on Schedule "A" - Land Use Concept, the following policies should be noted:

- "A.2.3.1 The primary uses permitted in the areas designated on Schedule "A" as INDUSTRIAL will be for Industry. In this regard, Industry is defined as manufacturing, processing, warehousing, repair and servicing. In addition to the primary permitted uses, the following uses may be permitted within INDUSTRIAL areas:
- iii) Uses which have characteristics or functional requirements similar to Industries;
  - vi) Public and private transportation terminals, highway and road related services (e.g. automobile service stations); and,
  - vii) All uses which, in the opinion of Council, complement and do not interfere with, or detract from, the primary function of the area."

The subject lands are also located within Special Policy Area 11, for which the following policies should be noted:



- "A.2.3.13      The LIGHT INDUSTRIAL category applies to those Industrial Uses that have a minimal impact on surrounding land uses and, as set out in Subsection A.2.9.3, are shown on Schedule "B" as Special Policy Area 11. Generally, LIGHT INDUSTRIAL USES will be encouraged to concentrate in a designed community-like precinct such as the East Mountain Industrial Park.
- A.2.3.14      The primary uses permitted in this category may include, but not be limited to: warehousing; light manufacturing and assembly; laboratories and research facilities, communication facilities and printing and publishing plants."

The proposal does not conflict with the intent of the Official Plan.

### NEIGHBOURHOOD PLAN

Designated "RESTRICTED INDUSTRIAL" on the approved Mountain Industrial Area Plan, the proposal does not conflict with the intent of the Plan.

### COMMENTS RECEIVED

- The following agencies have no comment or objection:
  - Trans Canada Pipeline;
  - Hamilton-Wentworth Regional Police; and,
  - Hamilton Region Conservation Authority.
- The Building Department has advised that "The use is not permitted".
- The Traffic Department has advised that the proposal is "satisfactory".
- To date, the Hamilton-Wentworth Engineering Department has not submitted any comments.

### COMMENTS

1. The proposal does not conflict with the intent of the Official Plan.
2. The proposal does not conflict with the intent of the approved Mountain Industrial Area Plan.
3. The proposal has merit and can be supported for the following reasons:
  - i) permitting the additional use would not compromise development of the lands in accordance with the approved Mountain Industrial Area Plan;

- ii) the use would be appropriate in an "M-15" (Prestige Industrial) District as this district does not restrict outside storage, is a heavy industrial district, and is located in the interior of the neighbourhood adjacent to other industrially zoned land; and,
  - iii) it is no less feasible than other automotive uses (e.g. General Repair Garage, Muffler Replacement Shop, Paint and Body Repair Shop, etc.) permitted as-of-right in the "M-15" (Prestige Industrial) District.
4. It should be noted that in approving the modification in zoning by adding S.I.C. code 6399, the following additional uses, which are part of the same S.I.C. code, will also be permitted on this property: undercoating motor vehicles, rustproofing, customizing vans, diagnostic centre for motor vehicles, and surface treating for motor vehicles. These uses are not considered to be more noxious than those permitted as-of-right and, therefore, can be supported.
5. Section 17(G)(2)(h) of Zoning By-law No. 6593 requires a visual barrier of not less than 1.5 m in height and not more than 2.0 m in height be provided and maintained to screen all storage areas from external view. The plans forming part of the previously approved Development Agreement have provided the required fencing as well as landscaping to screen the storage yard.
6. The "M-15" (Prestige Industrial) District regulations are subject to Site Plan Control By-law No. 79-275, as amended by By-law 87-223. However, as the applicant is proposing to use the buildings and land in accordance with the previously approved Development Agreement, no new application for Site Plan Control is required.

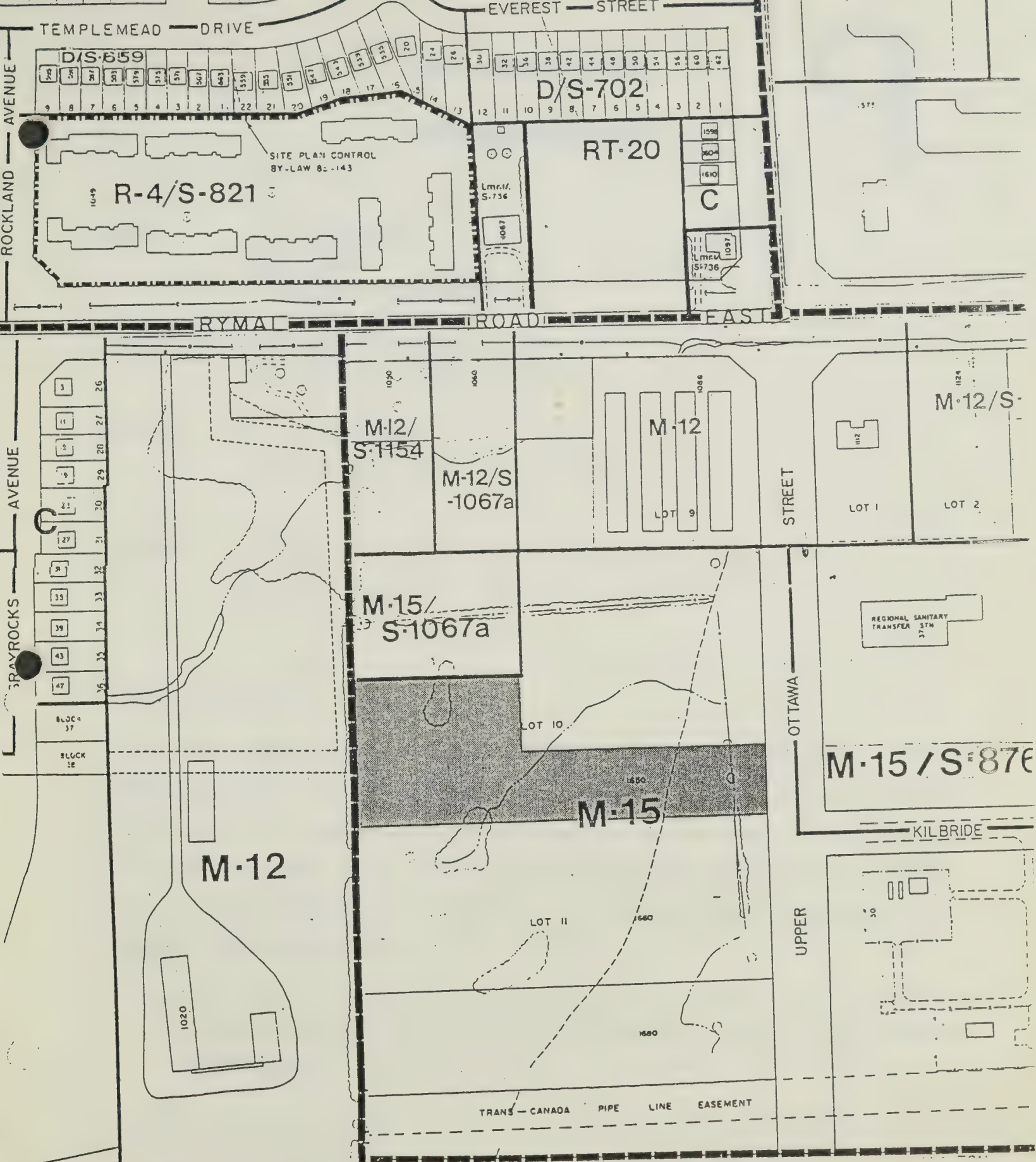
### **CONCLUSION**

Based on the foregoing, the application can be supported.

MLT/ma  
WPZA9075







# Legend



Site of the Application

APPENDIX A





**CITY OF HAMILTON**

**- RECOMMENDATION -**

9.

**DATE:** 1990 November 14  
(ZA-90-67  
Mountview Neighbourhood)

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

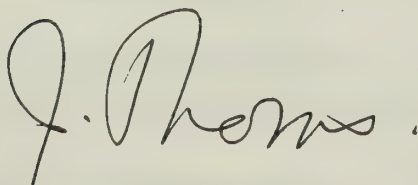
**FROM:** Mr. J. D. Thoms  
Commissioner of Planning and Development

**SUBJECT:** Request for an Official Plan Amendment, a change and  
modification in zoning - West side of Rice Avenue, South of  
Chedmac Drive

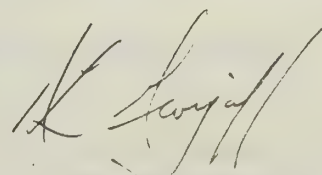
**RECOMMENDATION:**

The amended Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, requesting an Official Plan Amendment and a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified, to permit the development of the lands for a senior citizens community consisting of a six storey, 82 unit apartment building; 18, two storey stacked townhouse units; 34, one storey townhouse units; a residential care facility for 12 residents, and an amenity centre, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as APPENDIX "A", be TABLED for the following reason:

- i) The application is premature pending the submission and review of a land use plan and the road pattern for the Chedoke Health Corporation holdings in the Mountview Neighbourhood.



**J. D. Thoms, M.C.I.P.**  
Commissioner  
Planning and Development Department



**A. L. Georgieff, M.C.I.P.**  
Director - Local Planning



**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**APPLICANT:**

Presbyterian Residences (Hamilton) Inc., prospective owner.

**BACKGROUND:**

Presbyterian Residences (Hamilton) Inc., a non-profit organization, wishes to develop a senior citizens community consisting of:

- a 6 storey, 82 unit apartment building with unit sizes ranging from 450 to 1,150 sq.ft. There are 52, 2 bedroom units; 28, 1 bedroom units and 4 bachelor units;
- 18, 2 storey stacked townhouse units and 2 storey townhouse units which range in size from 900 to 1,300 sq.ft. in area;
- a residential care facility for 12 residents; and,
- a central amenity centre for use by the residents of the community. The facilities would include: kitchen, dining rooms, lounges, administrative offices, activity rooms, exercise rooms, hairdresser and a variety store.

The majority of the parking will be provided at grade with the possibility of one level of underground parking underneath the apartment building.

**LOT SIZE AND AREA**

The site is irregular in shape having a:

- 177 m (582 ft.) of lot frontage on Rice Avenue;
- 165 m (541 ft.) of lot depth on Chedmac Drive; and,
- 2.9 ha (7.2 ac) of lot area.

## ***LAND USE AND ZONING***

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	vacant	"AA" (Agricultural) District
<u>Surrounding Lands</u>		
to the north	hospital facilities, vacant land	"AA" (Agricultural) District
to the south	townhouses, apartment buildings	"D" (Urban Protected Residential - One and Two Family Dwellings) District  "E-2" (Multiple Dwellings) District
to the east	women's retirement home	"B" (Suburban Agricultural and Residential, etc.) District
to the west	vacant land	"AA" (Agricultural) District

## ***OFFICIAL PLAN***

The subject lands are designated "MAJOR INSTITUTIONAL" on Schedule "A". The following policy, applies among others:

"A.2.6.1      The primary uses permitted in the areas exceeding .4 hectare in size designated on Schedule "A" as MAJOR INSTITUTIONAL, will consist of cultural facilities, health, welfare, educational, religious, and governmental activities and related uses.

Residential uses are permitted in areas designated MAJOR INSTITUTIONAL due to the provisions of policy A.2.6.5 as follows:

"A.2.6.5      Notwithstanding the policies set out above, in areas designated MAJOR INSTITUTIONAL USES, Residential uses may be permitted provided they are compatible with the surrounding area."

However, the proposal does not comply with the intent of the Plan since the proposed local commercial uses (i.e. hair dresser, variety store) included as part of the development are not permitted as per Policies A.2.6.1 and A.2.6.5.

An Official Plan Amendment is required to redesignate the lands to "RESIDENTIAL".

### ***NEIGHBOURHOOD PLAN***

The lands are designated "Civic and Institutional" in the approved Mountview Neighbourhood Plan. The proposal does not comply with the Neighbourhood Plan. A redesignation to "Low Density Apartments" is required.

### ***RESULTS OF CIRCULARIZATION***

- The following Department and Agency have no comments or objections:

- Hamilton Region Conservation Authority;
- Hamilton-Wentworth Police Department.

- The Department of Social Services has advised that:

"Our Department supports the concept of a residential designation for this property. The "AA" designation appears no longer appropriate, and the complex proposed by Presbyterian Residence should be an asset to our community."

- The Hamilton-Wentworth Engineering Department has advised that:

"There are public watermains and separate storm and sanitary sewers available to service the subject lands.

The Planning Department may be aware, there are ongoing negotiations with the City of Hamilton and the Chedoke Health Corporation with respect to the widening and establishment of Chedmac Drive as a public highway and the Hospital will retain sufficient lands from these lands for the establishment of Chedmac Drive.

In the absence of detailed plans, further detailed comments regarding grading, accesses, etc. will be submitted when the plans are received and reviewed by this department. We recommend that these lands be developed through Site Plan Control.



• The Building Department has advised that:

- "1. The two (2) groups of stacked rowhouses are actually multiple dwellings. The three (3) cluster houses are townhouses.
2. The separation between the six (6) storey building and the stacked rowhouses to the west must be 9.75 m.
3. The separation between the two (2) groups of rowhouses must be 5.0 m as the building scale approximately 10 m high.
4. The separation between the southerly rowhouse and the first group of cluster houses must be 15.0 m (2 windows facing each other).
5. The cluster houses will have to provide 9.0 m and 15.0 m setbacks from each other in most cases, which they do not at the present time.
6. Some of the townhouses which face each other will also have a problem with the 15.0 m required setback.
7. Parking required is 190, shown is 185.
8. One (1) small loading space is required for the rowhouses and one (1) large loading space is required for the six (6) storey apartment.

As previously mentioned, this is a partial report on the proposal."

• The Traffic Department has advised that:

"We have reviewed the above-noted application and generally support the rezoning. However, we do have the following concerns.

The proposed neighbourhood plan for this area and thus the roadway pattern, has not been finalized. One aspect of the proposed roadway pattern is a re-alignment of the intersections of Rice Avenue, Sanatorium Road and Chedmac Drive. With the alignment unresolved, the land available for the development of the retirement village cannot be determined and we are, therefore, unable to comment on the site layout and location of the accesses. We recommend that this application be tabled until the Neighbourhood Plan and road layout have been finalized."

## COMMENTS

1. The proposal does not comply with the Official Plan. A redesignation from "MAJOR INSTITUTIONAL" to "RESIDENTIAL" is required.
2. The proposal does not comply with the approved Mountview Neighbourhood Plan. A redesignation from "Civic and Institutional" to "Low Density Apartments" is required.
3. The concept of a senior citizens community has merit for the following reasons:
  - a) it is compatible with the surrounding land uses including residential to the south;
  - b) the lower density development (19 units per acre) is located on the periphery of the neighbourhood;
  - c) it will provide for a variety of living accommodations for senior citizens;
  - d) it is located in close proximity to public transit routes, community facilities, medical facilities, etc.; and,
  - e) the residential care facility for 12 residents (maximum of 6 residents permitted in the DE district) can be supported since it is for senior citizens only, and its impact on surrounding residential development is negligible given that the entire community is for seniors. Furthermore, the site is large enough to separate the care facility into two facilities of 6 residents each.

However, the application should be tabled pending the disposition of the entire Chedoke Health Corporations holdings. The Chedoke Health Corporation has hired a planning consultant to prepare a neighbourhood plan for their lands to determine the appropriate land uses and road patterns. Since this parcel of land is owned by Chedoke Health Corporation, it would be appropriate to include the subject lands as part of this land use review to determine its impact and interrelationship with other proposed uses for the site and the proposed neighbourhood layout. Furthermore, the Traffic Department has concerns about the intersection of Rice Avenue and Sanitorium Road which can be addressed through the Neighbourhood Plan review.

4. If the Committee considers approving the application then it is appropriate to restrict the residential development to a "DE" (Low Density Multiple Dwellings) District modified for:

<u>Use</u>	<u>Number of Units</u>	<u>Number of storeys</u>
apartment building	82	6
stacked townhouses (multiple dwellings)	18	2
residential care facility (retirement home)	12 residents	2
townhouses	34	1
amenity centre	N/A	1 (1,010 m <sup>2</sup> )

The uses to be included as part of the amenity centre include: chapel, library, administrative offices, activity rooms, lounges, dining rooms, exercise rooms, variety store and hairdresser.

Since the plan submitted was only a concept plan, it would be appropriate to hold the amending by-law in abeyance until a detailed site plan has been submitted and approved. In this regard, appropriate by-law modifications could be incorporated at that time.

5. The Building Department, in their comments, note the need for variances to building separations and parking requirement.
6. On September 11, 1990, the applicant applied for and received conditional approval from the Land Division Committee to sever the lands. One of the conditions is that the applicant receive final approval of the necessary Official Plan Amendment and rezoning of the subject lands.

## **CONCLUSION**

Based on the foregoing, the proposal should be tabled.





9a.

241 West 32nd.  
HAMILTON, Ontario

Monday, November 5, 1990.

Susan K Reeder, Secretary,  
Planning and Development Committee,  
City Hall, HAMILTON, Ontario L8N 3T4.

NOV 7 1990

Dear Ms Reeder:

Re file ZA 90 67  
Chedmac Drive and Rice Avenue site for  
Proposed Presbyterian Residences

Thank you for your notice of a proposed information meeting  
to be held at 10.45 a.m. on Wednesday 21, 1990 in Room 233.

Either then or before I would like a little more information.

Generally I favour this type of development, and appreciate  
your advance notice.

The accompanying map fails to indicate:

- the present owner of the property,
- the extension which swings behind the  
hospital and links with several  
existing parking areas
- the location of the new hockey arena  
somewhere else on the hospital grounds
- a site plan to show the intended placement  
of the new apartment block and  
townhouses and amenity centre, and  
parking lots and access ramps
- any civic proposals to 'rationalize' the  
nearby intersection of Rice and San  
and intended siting of traffic lights  
to regulate the increased traffic flow.
- the present owners of the present 'greenbelt  
sites' on the north-east and south-east  
corners of San and Rice and San
- any possible civic plans to 'rationalize'  
the naming of the north-south stub of  
San Road running to the brow building  
(and perhaps calling it Rice

Quite frankly, fifteen or so years ago when my wife and I moved to the Hamilton area, it was the open greenspace on the border of the West Mountain and Ancaster area that 'sold' us on the location of our new home.

My concern now would be to specify those remaining 'open' areas which the city intends to retain as a greenbelt area. If none, say so. I am aware that the continued use of an 'agricultural' zoning area for a property which has not been farmed during our years in the area represents and reflects a failure to plan, or to protect an intended usage. The sooner this is remedied the better.

If the city is the present owner of the site of the proposed senior citizens property, is it fair to ask what alternate sites they intend to acquire to maintain the present stock of parklands?

I look forward to hearing from you about these concerns either at the meeting or before:

Yours truly,

W M WADLEY,  
241 West 32nd  
Hamilton Ontario  
L9C 5H5







K.E. AVERY  
CITY CLERK

J.J. SCHATZ  
DEPUTY CITY CLERK



URBAN MUNICIPAL  
LIBRARIAN

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THE CORPORATION OF THE CITY OF HAMILTON  
OFFICE OF THE CITY CLERK

CA40NHB LA05

URBAN/MUNICIPAL  
C 5194  
1990

1990 November 1st

URBAN MUNIC, HL

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GOVERNMENT DOCUMENTS

NOTICE OF MEETING

Planning and Development Committee  
Wednesday, 1990 November 7th  
9:30 o'clock a.m.  
Room 233, City Hall

Susan K. Reeder  
Secretary

AGENDA

1. Consent Agenda.

BUILDING COMMISSIONER

2. DEMOLITION PERMIT APPLICATIONS (TABLED FROM THE LAST MEETING FOR THE OWNERS TO ATTEND)
  - (a) 252 Victoria Avenue North
  - (b) 256 Victoria Avenue North.
3. By-law 83-253, respecting demolition or repair of property.

DIRECTOR OF PROPERTY

4. Proposed Expansion of Stelco Tower at the Plaza Level - LLOYD D. Jackson Square, Phase 1 (2719).





**REFERRAL BY CITY COUNCIL**

5. Resolution from the City of Etobicoke respecting the revitalization of the Etobicoke Waterfront and the Crombie Commission Report on the future of the Toronto Waterfront.

**ZONING APPLICATIONS**

**10:30 O'CLOCK A.M.**

6. Zoning Application 90-65, K. Dudzinski, owner, for a modification to the "DE-2" District regulations for property at 1 Prospect Street South; Stipeley Neighbourhood.
7. Zoning Application 90-66, 763225 Ontario Inc., owner, for a modification to the "D" District regulations for property at 158 Mary Street; Beasley Neighbourhood.
8. Zoning Application 90-68, F. and G. Seymour, owners, for a change in zoning from "JJ" modified to "E" modified for properties at 186-188 Queen Street North; Central Neighbourhood.

**10:45 O'CLOCK A.M.**

9. Subdivision Application 25T-89029 and Zoning Application 89-89, Falconstone Development Corp., owner, for a change in zoning from "AA" to "C" for land on the west side of Upper Wentworth Street and the north side of Stone Church Road East; Crerar Neighbourhood.
10. Zoning Application 89-123, Fenwood Developments Ltd., owner, for changes in zoning from "C", "E", "G-3" and "H" to "CR-3" for property municipally known as 690 Main Street West; Westdale South Neighbourhood.

**Letters of Submission:**

- (a) Petition - area residents.
- (b) Mrs. Beverley J. L. Niven, 33 Paradise Road South.
- (c) John R. Saver, 2 Olmstead Street.

**11:00 O'CLOCK A.M.**

11. Zoning Application 90-21, Patran Holdings Ltd., owner, for a change in zoning from "J" to "E-3" for property municipally known as 125 Napier Street; Strathcona Neighbourhood.
12. Other Business.
13. Adjournment.





CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

2.

\*\*\*\*\*

TO: Mr. L. King  
Building Commissioner  
Building Department

YOUR FILE:

FROM: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee  
City Clerk's Department

OUR FILE:  
PHONE:

SUBJECT: Demolition Permit Applications -  
252 & 256 Victoria Avenue North

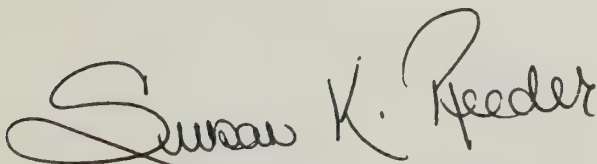
DATE: 1990 October 29

This will confirm that the Planning and Development Committee at its meeting held Wednesday, 1990 October 24 were in receipt of reports from yourself respecting approval of the above-noted demolition permit applications.

Please be advised that at the request of Alderman Hinkley, the above-noted demolition permit applications were **TABLED** to the next meeting of the Committee (1990 November 7) in order that the applicants can be invited to appear before the Committee to speak to them with respect to their removal of City trees on the properties on Victoria Avenue North.

Would you please undertake to ensure that these reports are brought back to the Committee and that the owners of these properties are invited to attend the next meeting of the Planning and Development Committee, in order to speak to the Committee with respect to their cutting down City trees on these properties.

Your attention to this matter is most appreciated.



c.c.- Alderman F. Lombardo, Chairman  
Planning and Development Committee  
- Alderman B. Hinkley



# CITY OF HAMILTON

2a.

## - RECOMMENDATION -

DATE: 30 October 1990

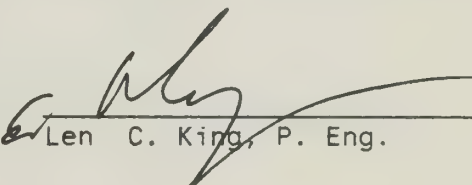
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
252 VICTORIA AVENUE NORTH - Tag Number 79277

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 252 Victoria Avenue North.

  
Len C. King, P. Eng.

*FINANCIAL/STAFFING/LEGAL IMPLICATIONS:* N/A

### *BACKGROUND:*

PRESENT ZONING: "E" (Multiple Dwellings, Lodges, Clubs, etc.)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Two (2) storey commercial plaza

BRIEF DESCRIPTION: Two and a half (2½) storey masonry dwelling.

It is the intention of the owner to demolish the existing single family dwelling and propose a two (2) storey commercial plaza with retail on first floor and medical and dental offices on the second floor. The owners application to change zoning from "E" to "H" was approved by Planning and Development Committee on September 19, 1990 and adopted by City Council on September 25, 1990. The proposed by-law to amend the zoning is at the draft by-law stage at present. Lot size 33.00' X 156.00'.

The owner of the property as per the demolition permit application is:

Mintland Developments Inc.  
273-B Bowes Road, Unit 5  
CONCORD, Ontario L4K 1H8 Telephone 669-5916





# CITY OF HAMILTON

2b.

## — RECOMMENDATION —

DATE: 30 October 1990

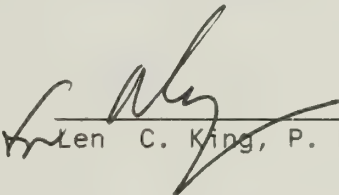
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
256 VICTORIA AVENUE NORTH - Tag Number 79276

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 256 Victoria Avenue North.

  
\_\_\_\_\_  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "E" (Multiple Dwellings, Lodges, Clubs, etc.)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Two (2) storey commercial plaza

BRIEF DESCRIPTION: One (1) storey wood frame dwelling.

It is the intention of the owner to demolish the existing single family dwelling and propose a two (2) storey commercial plaza with retail on first floor and medical and dental offices on the second floor. The owners application to change zoning from "E" to "H" was approved by Planning and Development Committee on September 19, 1990 and adopted by City Council on September 25, 1990. The proposed by-law to amend the zoning is at the draft by-law stage at present. Lot size 33.00' X 156.00'.

The owner of the property as per the demolition permit application is:

Mintland Developments Inc.  
273-B Bowes Road, Unit 5  
CONCORD, Ontario L4K 1H8 Telephone 669-5916





3.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1990 November 1

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. L. C. King, P. Eng.  
Building Commissioner

**SUBJECT:** By-Law 83-253 respecting demolition or repair of  
property.

**RECOMMENDATION:**

- a) That the City Solicitor be authorized and directed to amend By-Law 83-253, to increase the allowed expenditure from \$1,000.00 to \$5,000.00.

 L. C. King, P. Eng. Building Commissioner

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

N/A

**BACKGROUND:**

By-Law 83-253 gives authority to the Chief Property Standards Officer to give immediate effect to any Order that is confirmed or modified as final and binding pursuant to Section 31(19) of The Planning Act, so as to provide for,

- a) the repair of the property; or
- b) clearing of all buildings, structures or debris from the site and the leaving of the site in a graded and levelled condition.

where the cost of doing the work does not exceed \$1,000.00.

The \$1,000.00 amount has been in place since 1983 and the cost of doing this type of work has increased substantially. The recommendation will allow the Department to do upto \$5,000.00 worth of work without seeking further authorization.

c.c. Legal Department



4.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1990 October 24

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. D. W. Vyce  
Director of Property

**SUBJECT:** **Proposed Expansion of Stelco Tower  
at the Plaza Level - Lloyd D. Jackson  
Square, Phase I  
(2719)**

**RECOMMENDATION:**

- a) That the City, in its capacity as Landlord, Grant **CONDITIONAL APPROVAL** to First Phase Civic Square Limited to expand the office space of Stelco Tower at the Plaza Level, the expansion contemplating the creation of 6,550 square feet of building on the Plaza Level adjacent to space formerly occupied by the Chamber of Commerce Dining Room, subject to First Phase:
- i) complying with the requirements of the Ground Lease including additional ground lease payment, if any,
  - ii) complying with all Federal, Provincial, Regional and Municipal laws, by laws, requirements and regulations.
  - iii) providing the detailed plans and drawings for approval in accordance with the Ground Lease.
  - iv) executing any amendments to the Ground Lease, if formal amendments prove necessary.
- b) That the Lessee, First Phase Civic Square Limited be informed that this approval is preliminary only and is subject to the required plans, drawings and other documentation required by the Ground Lease and Development Agreement being received and approved by Council or the Co-Ordinator of the Lloyd D. Jackson Square as the Review Authority as the case may be, prior to final approval being given and prior to the commencement of any physical alteration to the leased premises and that the Lessee should act accordingly.



- c) That the City agree to reducing the publicly usable open space at the Plaza Level by the area of the proposed office space expansion.

  
D. W. Vyce

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:** N/A

**BACKGROUND:**

First Phase Civic Square Limited has approached our department seeking approval to expand Stelco Tower at the Plaza Level.

The proposed expansion contemplates the construction of a one storey addition to existing commercial space previously occupied by the Hamilton and District Chamber of Commerce Dining Room. The proposed building will contain an area of approximately 6,550 square feet to be constructed at the Plaza Level within the current publicly usable open space. This proposed expansion will necessitate the removal of a landscaped planting area currently lying west of the existing building. The exterior of the Addition will compliment the surrounding structure. The space will be used in conjunction with abutting space for office space purposes.

In order for First Phase to continue its efforts towards finalizing negotiations with a prospective tenant, it is seeking approval in principle from the City that the proposal is acceptable.

The Development Agreement and Ground Lease between the City and the developer of Lloyd D. Jackson Square contemplates changes and additions from time to time, subject to the approval of The Corporation of the City of Hamilton, acting reasonably.

From our review of the preliminary plans available to us, the expansion proposed is acceptable.

If the approval as aforesaid is given, then First Phase Civic Square Limited will proceed to submit detailed plans and specifications and time schedules which will comply with the normal requirements for construction in the Lloyd D. Jackson Square.

Any approval in principle at this time will of course be subject to the conditions recited in the recommendation portion of this report including a full review by Council of the detailed plans and drawings of the proposed structure.

Depending on the data that is supplied to the City by the developer, it may very well be that there are insufficient loading areas within the Lloyd D. Jackson Square complex to satisfy the Zoning By-law. If this is the case, a minor variance would be required. The developer is quite prepared to make an application to the Committee of Adjustment.

Attach.

c.c. Mrs. P. Noé Johnson, City Solicitor  
Attention: Mr. D. Powers

Mr. A. L. Georgieff, M.C.I.P., Director, Local Planning Division  
Attention: Mr. J. Sakala

Mr. L. King, Building Commissioner  
Attention: Mr. E. Begg

CINEMAS

29

27

25

24

22

20

19

17

ADDITIONAL AREA = 6550 sf

EXISTING AREA

FORMERLY CHAMBER OF COMMERCE  
Dining Room.

EXISTING AREA



5.

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

\*\*\*\*\*

TO: Mrs. S. K. Reeder, Secretary  
Planning and Development Committee

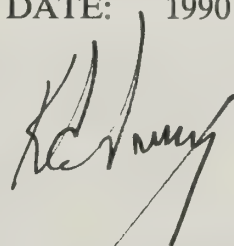
YOUR FILE:

FROM: Mr. K. E. Avery  
City Clerk

OUR FILE:  
PHONE: 546-4587

SUBJECT: LETTER FROM CITY OF ETOBICOKE  
RE: REVITALIZATION OF THE ETOBICOKE  
WATERFRONT AND THE CROMBIE COMMISSION  
REPORT ON THE FUTURE OF THE TORONTO  
WATERFRONT.

DATE: 1990 November 1



Attached please find a copy of a letter dated October 12, 1990 from the City of Etobicoke respecting the above noted which City Council at its meeting held October 30, 1990 referred to the Planning and Development Committee.

att.



# City of Etobicoke

OFFICE OF THE CLERK  
416/394- 8075

RECEIVED

OCT 18 1990

CITY CLERKS

October 12th, 1990.

TO MUNICIPALITIES IN ONTARIO WITH  
OVER 50,000 POPULATION

Subject: City of Etobicoke Waterfront Plan and the Crombie  
Commission Report on the Future of the Toronto  
Waterfront

For your information and in accordance with the direction of  
Council, enclosed please find a copy of Resolution Number 397,  
which was passed on September 17th, 1990.

Council is concerned that the recommendations set forth in the  
Crombie Commission Report represents an intrusion into the City's  
planning jurisdiction and is requesting the support of your  
Municipality.

Yours truly,

Cathie L. Best,  
Deputy City Clerk.  
/pt  
Encl.



# City of Etobicoke

Moved by Councillor Gloria Lindsay Luby

Session No 17

Seconded by Councillor Doug Holyday

Resolution No 397

Date September 17th, 1990

THAT recommendations from Committee of the Whole relative to the Motel Strip be adopted as follows:

WHEREAS the revitalization of the Etobicoke Waterfront is a matter of critical concern to the Corporation of the City of Etobicoke and its citizens; and

WHEREAS the Motel Strip Secondary Plan was forwarded to the Minister of Municipal Affairs on March 3, 1988 and subsequently referred to the Ontario Municipal Board on July 19, 1988; and

WHEREAS the Minister has advised the Board that the Province will declare the Plan to be a matter of provincial interest pursuant to s. 17(19) of the Planning Act, 1983; and

WHEREAS the presentation of the Motel Strip Secondary Plan to the Ontario Municipal Board represented the culmination of a six year effort by the City to formulate development policies intended to revitalize that portion of the Etobicoke Waterfront; and

WHEREAS a hearing date of November 19, 1990 to deal with the City's plan for the Motel Strip was set by the Board in consultation with all interested parties, including the Province; and

WHEREAS during the course of the last one and one-half years the City has worked in a co-operative fashion with both the Province and Metro on planning issues of mutual concern relating to the Motel Strip; and



# City of Etobicoke

Moved by Councillor Gloria Lindsay Luby

Session No 17

Seconded by Councillor Doug Holyday

Resolution No 397

Date September 17th, 1990

- 2 -

WHEREAS the prospects for the Motel Strip hearing commencing on November 19, 1990 has now been placed in serious jeopardy on account of the Province's on-going failure to declare its interest in the Motel Strip; and

WHEREAS the Second Interim Report of the Royal Commission on the Future of the Toronto Waterfront was released on September 12, 1990; and

WHEREAS the Report has recommended, inter alia, that a development freeze be established for south Etobicoke pending completion of a comprehensive Etobicoke Waterfront Plan; and

WHEREAS the City has serious concerns arising from the recommendations set forth in the Crombie Report concerning south Etobicoke; and

WHEREAS the recommendations set forth in the Report represents an intrusion into the City's planning jurisdiction;

NOW THEREFORE BE IT RESOLVED:

1. THAT the Province be requested forthwith to declare its intent with respect to the Motel Strip hearing scheduled for November 19, 1990.
2. THAT staff be directed to review the recommendations of the Crombie Report and report back to the next meeting of the Committee of the Whole on their findings.
3. THAT the City advise the Province that a response to the Crombie Report will be forwarded in due course.





# City of Etobicoke

Moved by Councillor Gloria Lindsay Luby

Session N<sup>o</sup> 17

Seconded by Councillor Doug Holyday

Resolution N<sup>o</sup> 397

Date September 17th, 1990

- 3 -

4. THAT a copy of this Resolution be forwarded to the Municipality of Metropolitan Toronto and the Metropolitan Toronto and Region Conservation Authority in addition to the Association of Municipalities of Ontario and all municipalities with a population in excess of 50,000 and that they be requested to support the City's position in this matter.

Carried

G. Bruce Sinclair

Mayor



6.

FOR ACTION

REPORT TO:

SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

DATE: October 30, 1990

COMM. FILE:

DEPT. FILE: ZA-90-65

Stipeley

Neighbourhood

FROM:

J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT

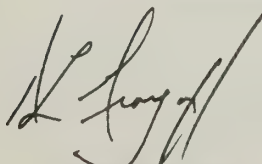
OCT 31 1990

Request for a modification of zoning - No. 1 Prospect Street South.

RECOMMENDATION

That Zoning Application 90-65, K. Dudzinski, owner, requesting a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations to permit the addition of a bachelor apartment unit to the existing legal non-conforming 11 unit apartment building for property located at No. 1 Prospect Street South, as shown on the attached map marked as APPENDIX "A", be DENIED for the following reasons:

1. It represents an overintensification of land use, in that:
  - a) The maximum gross floor area permitted is 390.96 m<sup>2</sup>, whereas with the new additional bachelor apartment unit the maximum gross floor area proposed is 877.16 m<sup>2</sup>.
  - b) There are no on-site parking or loading spaces for the proposed 12 unit building, whereas a total of 15 parking spaces and one 3.7 m x 9.0 m x 4.3 m loading space are required to be provided and maintained on the lot. Accordingly, approval of the application would increase the demand for on-street parking which the Traffic Department advises is at a "premium" in this area.
2. Approval of the application would only further aggravate an existing legal non-conforming situation.
3. Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the By-law.



A. L. Georgieff, M.C.I.P.  
Director of Local Planning



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

## FINANCIAL IMPLICATIONS

N/A

## BACKGROUND

- Proposal

It is the applicant's intention to convert the laundry room within the basement of the existing building to a bachelor apartment thereby increasing the number of dwelling units from 11 (legal non-conforming situation) to 12 units. The garbage room is to be converted to a new laundry room and the garbage moved to the exterior of the building. No parking or loading spaces are provided for the apartment units. The applicant has advised that the proposed bachelor apartment has a total floor area of approximately 54.25 m<sup>2</sup> (584 sq.ft.).

- Committee of Adjustment

On June 13, 1990 the Committee of Adjustment denied minor variance application A-90-165 so as to permit interior alterations to the existing 11 unit multiple dwelling creating a new total of 12 dwelling units which required the following by-law variances:

1. a gross floor area of 877.16 m<sup>2</sup> (9,442 sq.ft.) will be provided instead of the maximum permitted area of 390.96 m<sup>2</sup> (4,208.5 sq.ft.);
2. there is no provision on the lot for 15 car parking spaces and 1 loading space.

- Order to Comply

On August 31, 1990 the Building Department issued an Order to Comply (see APPENDIX "B") regarding the construction of a basement entrance to the building without obtaining the required building permit from the City Building Department. As a result of this action, the applicant has filed the subject rezoning application.

## APPLICANT

K. Dudzinski, owner.

## LOT SIZE AND AREA

- 14.48 m (47.52 ft.) of lot frontage on King Street East;
- 31.24 m (102.5 ft.) average lot depth; and,



- 452.48 m<sup>2</sup> (4,870.6 sq.ft.) average lot area.

### LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	11 unit apartment building	"DE-2" (Multiple Dwellings) District
<u>Surrounding Lands</u>		
to the north	Scott Park and Scott Park Secondary School	"A" (Conservation, Open Space, Park and Recreation) District and "C" (Urban Protected Residential, etc.) District
to the south	single-family and two-family dwellings	"C" (Urban Protected Residential, etc.) District
to the east	apartment building	"DE-2" (Multiple Dwellings) District
to the west	multiple dwellings, single-family and two family dwellings	"DE-2" (Multiple Dwellings) District and "C" (Urban Protected Residential, etc.) District

### OFFICIAL PLAN

Designated "RESIDENTIAL" on Schedule "A" - Land Use Concept Plan of the Official Plan and subject to among others, the following policies:

- "A.2.1.1      The primary uses permitted in the areas designated on Schedule "A" as RESIDENTIAL will be for dwellings. Various types of dwellings are included within this designation, while preference will be given to the locating of similar densities of development together.
- A.2.1.8      It is the intent of Council that a variety of housing styles, types and densities be available in all RESIDENTIAL areas of the City and further, that proposals for new development or redevelopment will contribute to the desired mix of housing where practicable.
- A.2.1.14      In evaluating the merits of any proposal for multiple-family RESIDENTIAL development, Council will be satisfied that the following considerations are met:
- i)      The height, bulk and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding areas; and,

## FINANCIAL IMPLICATIONS

N/A

## BACKGROUND

- Proposal

It is the applicant's intention to convert the laundry room within the basement of the existing building to a bachelor apartment thereby increasing the number of dwelling units from 11 (legal non-conforming situation) to 12 units. The garbage room is to be converted to a new laundry room and the garbage moved to the exterior of the building. No parking or loading spaces are provided for the apartment units. The applicant has advised that the proposed bachelor apartment has a total floor area of approximately 54.25 m<sup>2</sup> (584 sq.ft.).

- Committee of Adjustment

On June 13, 1990 the Committee of Adjustment denied minor variance application A-90-165 so as to permit interior alterations to the existing 11 unit multiple dwelling creating a new total of 12 dwelling units which required the following by-law variances:

1. a gross floor area of 877.16 m<sup>2</sup> (9,442 sq.ft.) will be provided instead of the maximum permitted area of 390.96 m<sup>2</sup> (4,208.5 sq.ft.);
2. there is no provision on the lot for 15 car parking spaces and 1 loading space.

- Order to Comply

On August 31, 1990 the Building Department issued an Order to Comply (see APPENDIX "B") regarding the construction of a basement entrance to the building without obtaining the required building permit from the City Building Department. As a result of this action, the applicant has filed the subject rezoning application.

## APPLICANT

K. Dudzinski, owner.

## LOT SIZE AND AREA

- 14.48 m (47.52 ft.) of lot frontage on King Street East;
- 31.24 m (102.5 ft.) average lot depth; and,

- 452.48 m<sup>2</sup> (4,870.6 sq.ft.) average lot area.

### LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	11 unit apartment building	"DE-2" (Multiple Dwellings) District
<u>Surrounding Lands</u>		
to the north	Scott Park and Scott Park Secondary School	"A" (Conservation, Open Space, Park and Recreation) District and "C" (Urban Protected Residential, etc.) District
to the south	single-family and two-family dwellings	"C" (Urban Protected Residential, etc.) District
to the east	apartment building	"DE-2" (Multiple Dwellings) District
to the west	multiple dwellings, single-family and two family dwellings	"DE-2" (Multiple Dwellings) District and "C" (Urban Protected Residential, etc.) District

### OFFICIAL PLAN

Designated "RESIDENTIAL" on Schedule "A" - Land Use Concept Plan of the Official Plan and subject to among others, the following policies:

- "A.2.1.1      The primary uses permitted in the areas designated on Schedule "A" as RESIDENTIAL will be for dwellings. Various types of dwellings are included within this designation, while preference will be given to the locating of similar densities of development together.
- A.2.1.8      It is the intent of Council that a variety of housing styles, types and densities be available in all RESIDENTIAL areas of the City and further, that proposals for new development or redevelopment will contribute to the desired mix of housing where practicable.
- A.2.1.14      In evaluating the merits of any proposal for multiple-family RESIDENTIAL development, Council will be satisfied that the following considerations are met:
- i)      The height, bulk and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding areas; and,



- ii) Appropriate open space, including landscaping and buffering, will be provided to maximize the privacy of residents and minimize the impact on adjacent lower-density uses.

C.7.1 In the development of new RESIDENTIAL areas and, as far as practicable, in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of RESIDENTIAL amenity:

- i) Provision and maintenance of adequate off-street parking;
- iii) Other similar actions or matters as Council may deem appropriate.

C.7.2 Varieties of RESIDENTIAL types will not be mixed indiscriminately, but will be arranged in a gradation so that higher density developments will complement those of a lower density, with sufficient spacing to maintain privacy, amenity and value.

C.7.3 Council will ensure that the local RESIDENTIAL ENVIRONMENT is of a condition and variety satisfactory to meet the changing needs of area residents. Accordingly, Council will:

- iii) Encourage RESIDENTIAL development that provides a range of types and tenure to satisfy the needs of the residents at densities and scales compatible with the established development pattern."

On the basis of the foregoing, the proposal does not comply with the intent of the Official Plan as there is no provision for adequate parking. However, should the application be approved, an Official Plan Amendment would not be required.

### **NEIGHBOURHOOD PLAN**

Designated for "LOW DENSITY APARTMENTS" on the approved Stipeley Neighbourhood Plan, the proposal complies with the intent of the Plan.

### **COMMENTS RECEIVED**

- The Building Department has advised that:

- "1. Floor plans and total gross floor area of the multiple dwelling has not been submitted with this application.
2. The Committee of Adjustment denied Application A-90:165, which requested a variance for a gross floor area of 877.16 square metres instead of the maximum 390.96 m<sup>2</sup> and also parking spaces and loading spaces.
3. A twelve (12) unit multiple dwelling requires fifteen (15) parking spaces and one (1) 3.7 m x 9.0 m x 4.3 m loading spaces which are required to be located on the lot.
4. An Order to Comply has been issued by this Department (copy attached)."



- The Traffic Department has advised that:

"This property is presently operating as an eleven unit apartment building with no parking or loading being provided on site. Increasing the number of units without any provision for parking would only increase the demand for on-street parking. Parking in this area it already at a premium."

- The Hamilton-Wentworth Engineering Department has advised that:

"...there are public watermain and combined storm and sanitary sewers available to service the subject lands.

In the absence of any details shown on plans being submitted for our review, we advise that any works within the adjacent road allowance must conform to the respective Street By-laws."

- The Hamilton Region Conservation Authority and The Hamilton-Wentworth Regional Police Department have no comments or objections.

## COMMENTS

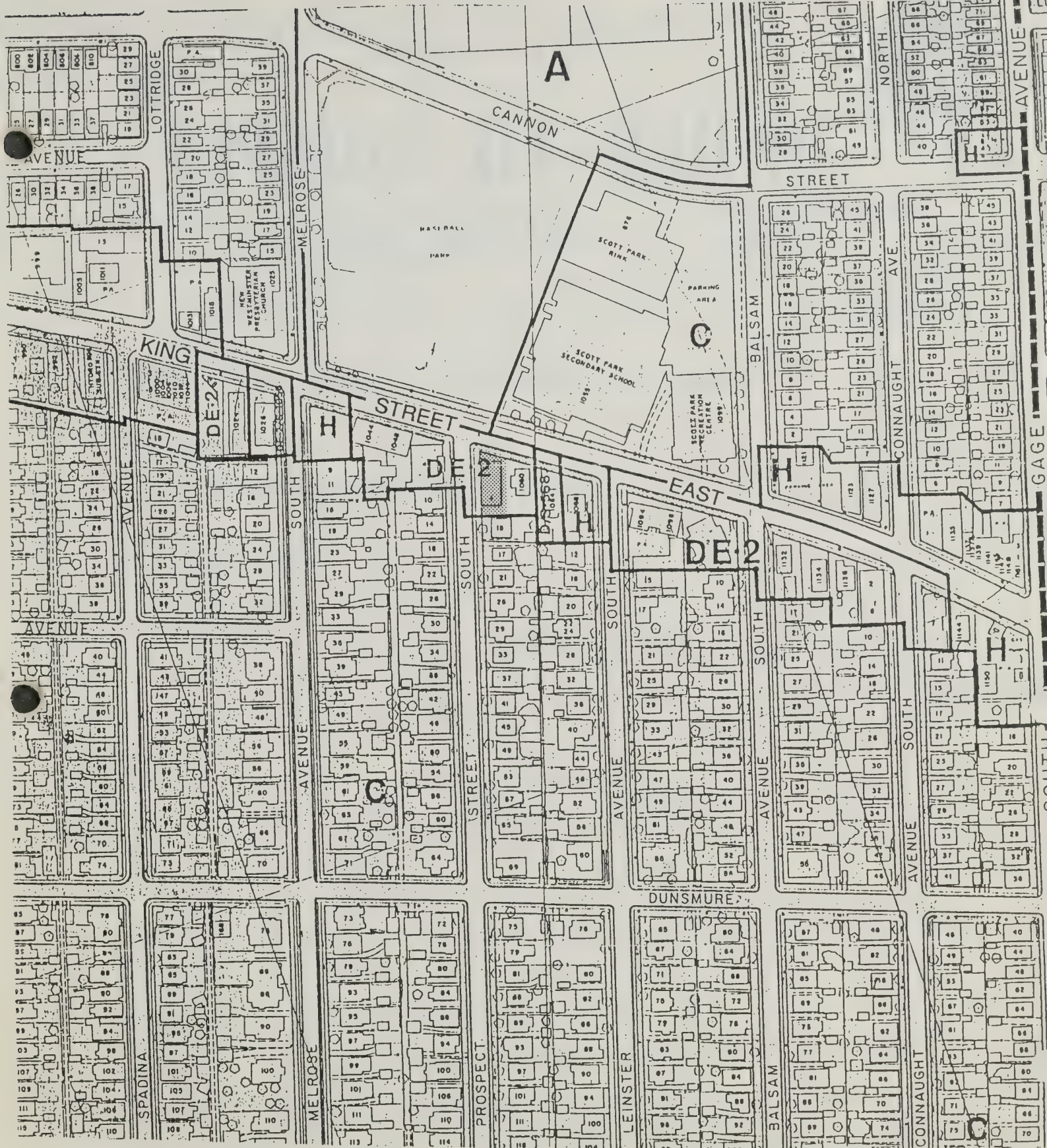
1. The proposal does not comply with the intent of the Official Plan. However, should the application be approved, an Official Plan Amendment would not be required.
2. The proposal complies with the intent of the approved Stipeley Neighbourhood Plan.
3. The proposal cannot be supported for the following reasons:
  - i) it does not comply with the intent of the Official Plan;
  - ii) it represents an overintensification of land use in that:
    - a) the maximum gross floor area permitted is 390.96 m<sup>2</sup>, whereas with the new additional bachelor apartment unit the maximum gross floor area proposed is 877.16 m<sup>2</sup>;
    - b) there are no on-site parking or loading spaces for the 12 unit apartment building, whereas a total of 15 parking spaces and one 3.7 m x 9.0 m x 4.3 m loading space are required to be provided and maintained on the lot. Accordingly, approval of the application would increase the demand for on-street parking. In this regard, the Traffic Department has advised that parking in this area is at a "premium";

- iii) approval of the application would only further aggravate an existing legal non-conforming situation; and,
- iv) approval of the application would encourage other similar applications which, if approved, would undermine the intent of the By-law.

### **CONCLUSION**

On the basis of the foregoing, the application cannot be supported.

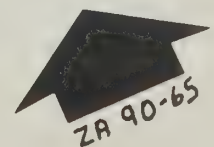
GAW/ma  
WPZA9065



### Legend



Site of the Application









## FOR ACTION

7.

**REPORT TO:**

SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

DATE: October 30, 1990  
COMM. FILE:  
DEPT. FILE: ZA-90-66  
Beasley  
Neighbourhood

**FROM:**

J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

OCT 31 1990

Request for a modification in zoning - No. 158 Mary Street.

**RECOMMENDATIONS:**

- a) That approval be given to Zoning Application 90-66, 763225 Ontario Inc. (S. Hodgskiss), owner, requesting a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit the conversion of the existing building for a water treatment sales office, for property located at No. 158 Mary Street, as shown on the attached map amrked as APPENDIX "A", on the following basis:
  - i) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
    - a) That notwithstanding Section 10(1), the following additional uses shall be permitted only within the building existing at the date of the passing of the by-law:
      - 1) Commercial Use  
A water treatment sales office.
      - 2) Accessory Use  
One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on Zoning District Map E-4 be notated S- ;
  - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
  - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- b) That the amending By-law not be passed by City Council until the applicant:
- 1) dedicates the necessary road widening to the Hamilton-Wentworth Region to the satisfaction of the Commissioner of Engineering; and;
  - 2) enters into an encroachment agreement with the Hamilton-Wentworth Region to permit the existing structure within the widened limits, to the satisfaction of the Commissioner of Engineering.

**EXPLANATORY NOTE:**

The purpose of the by-law is to provide for a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, for property located at No. 158 Mary Street, as shown on APPENDIX "A".

The effect of the by-law is to permit:

- o the conversion of the existing building for a water treatment sales office; and,
- o one ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.

  
**A. L. Georgieff, M.C.I.P.**  
 Director of Local Planning

  
**J.D. Thoms, M.C.I.P.**  
 Commissioner  
 Planning and Development Department

**FINANCIAL IMPLICATIONS:**

N/A

**LOT SIZE AND AREA:**

- o 12.42 m (40.75 ft.) of lot frontage on Mary Street;
- o 24.69 m (81 ft.) of lot frontage on Cannon Street East; and,
- o 306.64 m<sup>2</sup> (3,300.75 sq. ft.) of lot area.

**LAND USE AND ZONING:**

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	single-family dwelling	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District.
<u>Surrounding Lands</u>		
to the north	single and two-family dwellings	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District.
to the south	vacant building	"J" (Light and Limited Heavy Industry, etc.) District.
to the west	take-out restaurant, one and two-family dwellings	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District
to the east	single-family dwellings and commercial	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District
		"H" (Community Shopping and Commercial, etc.) District

**OFFICIAL PLAN:**

The subject lands are designated "CENTRAL POLICY AREA" on Schedule "A". The proposal does not conflict with the intent of the Official Plan.

### NEIGHBOURHOOD PLAN:

The subject lands are designated "Single and Double Residential" in the approved Beasley Neighbourhood Plan. A redesignation is not required since the long term intended land use is for residential.

### RESULTS OF CIRCULARIZATION:

- o The following Departments and agency have no comments or objections:

- Hamilton-Wentworth Police Department;
- Hamilton Region Conservation Authority.

- o LACAC staff has advised that:

"158 Mary St. is a designated property and every reasonable initiative should be used to help conserve it. Adding an office use, (providing it wasn't disruptive to the architecture) may help balance off the costs of rehabilitation and accompanying tax increases."

- o The Hamilton-Wentworth Engineering Department has advised that:

"...there are separate storm and sanitary sewers available on Mary Street, combined sewers on Cannon Street and watermain on both Mary Street and Cannon Street available to service the subject lands.

The designated road allowance width of Cannon Street is 26.21 m. In accordance with this designation Survey Plan P813A was prepared outlining lands required for road widening purposes. A strip of land 3.161 m in width would be required adjacent to lands at No. 158 Mary Street. Policy P-1 entitled road widenings adjacent to Regional roads state that in cases of development or redevelopment, it is a requirement of Regional Council that sufficient lands be dedicated to the Region for road widening purposes to establish the designated right of way adjacent to the property. It is our opinion that the conversion of a residential property to commercial use could be considered redevelopment of these lands, thus warranting the dedication of these lands to the Region for road widening purposes. We recognize that the existing building will encroach into those lands required for road widening purposes. Road Allowance Widening Policy P-1 also states that in those cases where an existing structure encroaches upon the required road widening, the lands are to be dedicated and an encroachment agreement will be entered into permitting the encroachment.

According to plans submitted by the applicant, a wrought iron fence and concrete support post encroach into the existing Cannon Street East road allowance and a wrought iron and chain link fence encroaches into the Mary Street road allowance.



These fence encroachments are contrary to the City of Hamilton and Region of Hamilton-Wentworth Streets By-laws and remain at the sole risk of the applicant/owner notwithstanding our comments on road widening above, the existing structure encroaches into the Cannon Street road allowance and this encroachment requires an encroachment agreement with the Region of Hamilton-Wentworth.

We also advise that the outside restoration of any building within the Cannon Street road allowance must conform to the Regions Use By-law.

Comments on Access should be received from the City of Hamilton Traffic Department.

Should access to this site be granted onto Mary Street the fence encroachments into the road allowances should be removed to improve motorist visibility."

- o The Building Department has advised that:

"If the building is used entirely by the "water treatment company" no parking is required as the 2 floors of commercial will not exceed the minimum 4,844 sq.ft. (450 m<sup>2</sup>). No loading space is required due to the same reason. However, if the 2nd floor was used for a residence then one (1) required parking and manoeuvring space is required.

- o The Traffic Department has advised that:

"The applicant has stated that parking will be available for 5 vehicles. From our site visit it was noted that only 2 parking spaces are presently available and that modifications to the building would be required to increase the number of parking spaces.

The development of this site as a commercial establishment without providing adequate parking on-site for the customers of this facility may result in a spillover of parking onto the adjacent streets."

#### COMMENTS:

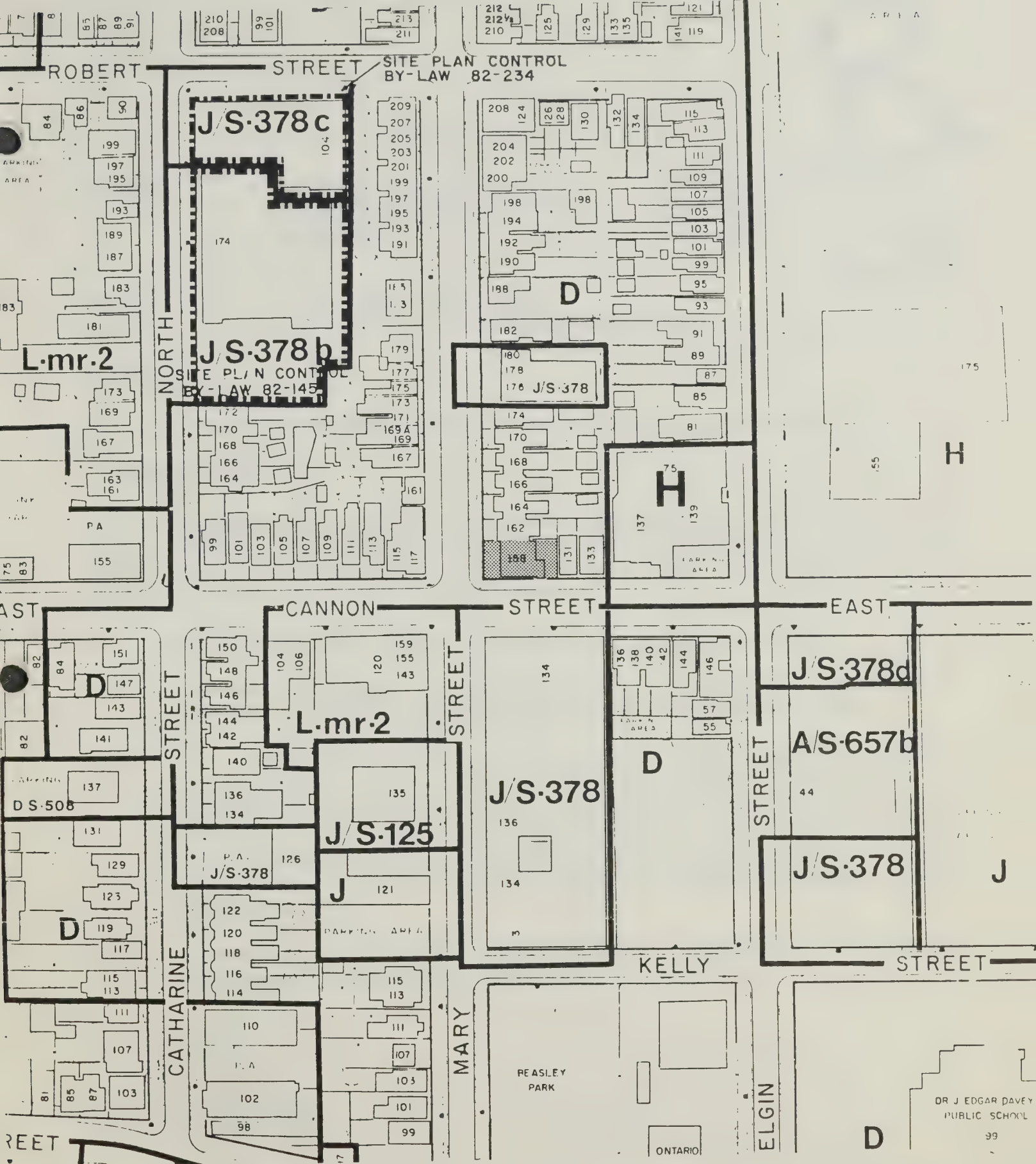
- 1) The proposal does not conflict with the intent of the Official Plan or the approved Beasley Neighbourhood Plan.
- 2) The proposal can be supported for the following reasons:
  - a) it provides for the adaptive reuse of a designated building;
  - b) it is compatible with the surrounding mix of land uses including a pizza takeout restaurant to the west, and speedy auto glass and car centre to the east; and
  - c) the existing streetscape along Mary Street will be maintained.

- 3) It should be noted that the applicant can provide two parking spaces on-site.
- 4) The Engineering Department has advised that road widening is required on Cannon Street. Since a site plan for the subject property is not necessary, it would be appropriate to hold the amending by-law in abeyance until the applicant:
  - 1) dedicates the necessary road widening to the Region; and,
  - 2) enters into an encroachment agreement with the Region to permit the existing structure within the widened limits.

**CONCLUSION:**

Based on the foregoing, the proposal can be supported.

JHE/ma  
WPZA9066







# FOR ACTION

8.

**REPORT TO:**

SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

DATE: October 30, 1990

COMM. FILE:

DEPT. FILE:

ZA-90-68

Central

Neighbourhood

**FROM:**

J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

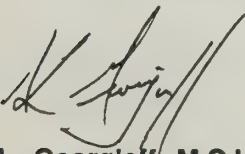
**SUBJECT:**

Request for a change and modification of zoning - Nos. 186 and 188 Queen Street North.

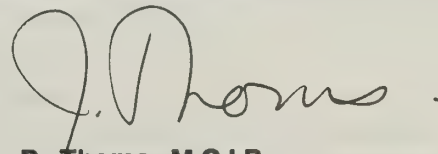
**RECOMMENDATION:**

That Zoning Application 90-68, Frederick and Gwynette Seymour, owners, requesting a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit a six (6) storey, 60 bed residential care facility for senior citizens, for property located at Nos. 186 and 188 Queen Street North, be **DENIED** for the following reasons:

- i) it conflicts with the intent of the Official Plan and the Central Neighbourhood Plan;
- ii) it would be incompatible with existing and future intended development in the surrounding area. In this regard, lands to the north and east are zoned and used for industrial purposes;
- iii) one of the prime goals of the residential care facility by-law is to provide residents of such facilities with an opportunity to live in a environment that closely approximate a family situation in a residential neighbourhood. The proposed 60 bed residential care facility is three times the capacity permitted in an "E" District, and as such, would represent an "Institutional" use. The proposal represents a significant departure from the provisions of the Residential Care Facility By-law and is contrary to the provincial policies which were designed to encourage smaller facilities in residential neighbourhoods; and,
- iv) the proposal is considered premature pending completion of the Neighbourhood Plan Review within the "Hess Block" bounded by Barton, Hess, Cannon and Queen Streets.



A. L. Georgieff, M.C.I.P.  
Director of Local Planning



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

## **FINANCIAL IMPLICATIONS**

N/A

## **BACKGROUND**

The purpose of the proposed change in zoning is to permit a six (6) storey, 60 bed residential care facility for senior citizens. Approximately 20 parking spaces are to be provided on-site. (see APPENDIX "B")

## **APPLICANT**

Frederick and Gwynette Seymour, owners.

## **LOT SIZE AND AREA**

- 25.35 m (83.16 ft.) of lot frontage on Queen Street North;
- 54.18 m (177.76 ft.) of lot depth; and,
- 1,373.3 m<sup>2</sup> (14,782.52 sq.ft.) of lot area.

## **LAND USE AND ZONING**

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	two single-family dwellings, two frame garages and a frame shed	"JJ" (Restricted Light Industrial) District modified
<u>Surrounding Land Use</u>		
to the north	a single-family dwelling and industrial uses	"JJ" (Restricted Light Industrial) District modified
to the south	multiple family dwellings	"JJ" (Restricted Light Industrial) District modified
to the east	auto body shop	"JJ" (Restricted Light Industrial) District modified

to the west

single-family dwellings

"D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District

## **OFFICIAL PLAN**

The subject lands are designated "CENTRAL POLICY AREA" on Schedule "A" - Land Use Concept Plan and are situated within Special Policy Area 3 on Schedule "B" of the Official Plan. The following policies, among others, would apply:

"A.2.8.1 To promote the CENTRAL POLICY AREA as a multi-use node for both the City and the Region, a wide range of uses will be permitted where compatibility among adjacent uses can be achieved. The primary uses permitted in the CENTRAL POLICY AREA, as shown on Schedule "A", will be for the following uses:

- ii) Residential Uses of various types, including, but not limited to, single-family detached semi-detached, row and apartment housing, and in keeping with the Residential policies set out primarily in Subsection A.2.9.3, as well as in Subsection A.2.1 and C.7;

A.2.8.2 The location of uses permitted within the CENTRAL POLICY AREA will be identified and detailed through the preparation of a Neighbourhood Plan."

In addition the subject lands are in Special Policy Area 3. The following policies, among others, should be noted:

"A.2.9.3.1 The future viability and health of the Central Policy Area will be largely dependent on the quality and suitability of Residential opportunities in close proximity to the downtown. Accordingly, the following policies to promote and protect housing within the area shown as SPECIAL POLICY AREA 3 on Schedule "B" will apply in addition to all the Residential policies of Subsection A.2.1 and C.7 and Policy A.2.8.1(ii);

- i) It is the intent of Council to strengthen the Residential function of this AREA to complement the multi-use nature of the Central Policy Area, to foster a wider choice in housing opportunities for all residents of the City, and to increase the resident population;
- ii) Further to the above, a wide variety of densities, unit sizes, building styles, incomes and household groups will be accommodated. Housing suitable for families, the physically disabled, and senior citizens will be particularly encouraged;
- v) It is intended that Residential development or redevelopment be as a scale, density and bulk compatible with the established character of the surrounding uses;



- C.7.1 In the development of new RESIDENTIAL areas and, as far as practicable, in the infilling or redevelopment of established areas, Council may undertake or require the following in order to achieve high standards of RESIDENTIAL amenity:
- i) Provision and maintenance of adequate off-street parking;
  - ii) Alteration of traffic flows;
  - iii) Improvement and maintenance of street landscaping;
  - iv) The maintenance of adequate separation distances and the placement of buffering features between RESIDENTIAL and Industrial Uses;
- C.7.2 Varieties of RESIDENTIAL types will not be mixed indiscriminately, but will be arranged in a gradation so that higher density developments will complement those of a lower density, with sufficient spacing to maintain privacy, amenity and value.
- C.7.3 Council will ensure that the local RESIDENTIAL ENVIRONMENT is of a condition and variety satisfactory to meet the changing needs of area residents. Accordingly, Council will:
- iii) Encourage RESIDENTIAL development that provides a range of types and tenure to satisfy the needs of the residents at densities and scales compatible with the established development patterns;
  - iv) Encourage the responsible public agencies to provide low-cost and/or senior citizen housing at appropriate locations throughout the City;"

On the basis of the foregoing, the proposed does not comply with the intent of the Official Plan in that it would be incompatible with established development in the surrounding area. However, should the application be approved on Official Plan amendment would not be required.

### **NEIGHBOURHOOD**

The subject lands are designated "INDUSTRIAL" on the approved Central Neighbourhood Plan, and "MIXED USE" in the approved CENTRAL AREA PLAN. A Neighbourhood Plan review of the Hess Block, bounded by Barton, Hess, Cannon and Queen Streets is currently pending. In this regard, approval of the application is premature pending this review by the Planning Department. Should the application be approved, redesignation to "MEDIUM DENSITY APARTMENTS" is required.



## COMMENTS RECEIVED

- The Building Department has advised that:

- "1. The maximum capacity permitted in either E or E-3 is twenty (20) persons, shown is sixty (60) persons.
2. Parking is not permitted in the required front yard;
3. In order to use the reduced parking as a home for elderly persons, all of the tenants must comply under the Act [Section S.(2)A. (xiv)] or the building operated by or under the authority of the Ontario Housing Corporation. We will require a letter from the Ministry of Housing verifying that one of these conditions has been met.
4. One large loading space is required, none is shown."

- The Traffic Department has advised that:

"...we have reviewed the above-noted application and find the proposed zoning satisfactory.

With respect to the site plan submitted the applicant should be advised that a 3.7 m x 18.0 m loading space is required. We would not support a variance to have this loading space eliminated.

The applicant should be requested to submit a revised site plan indicating the proper loading space before this zoning is approved."

- The Hamilton-Wentworth Department of Social Services has advised that:

"The development of a seniors' retirement home in this geographic area has much merit. It is a changing neighbourhood and a retirement home will complement other residential development in the next few years.

The size of the home is somewhat problematic for us. 60 units is a large number for what appears to be a relatively small site; however, this home will have to be licensed as a second level lodging home by the City of Hamilton and meet the various requirements of the licensing by-law. One of these requirements relates to a maximum capacity."

- The Hamilton-Wentworth Engineering Department has advised that:

"...there are public watermains and separate storm and sanitary sewers available to service the subject lands.

The designated road allowance width of Queen Street is 26.21 m. Therefore as a condition of development approval, we recommend that a strip of land 3.048 m in width be dedicated to the Region for road widening purposes. All setbacks are to be taken from the widened limit of Queen Street.

According to our records and plans submitted by the applicant, steps at No. 188 Queen Street North encroach into the existing road allowance and the building, porch and steps encroach into the existing road allowance at No. 186 Queen Street North. The retention of these building encroachments into the road allowance requires an encroachment agreement with the Region of Hamilton-Wentworth. Any other works which may occur within the Queen Street North road allowance as widened must conform to the Region of Hamilton-Wentworth Road Use By-law.

Comments from the City of Hamilton Traffic Department with respect to access design, manoeuvring etc. should be considered. The closed board fence should be setback 3 m minimum from the widened limits of Queen Street South. The grade of the access within the road allowance, as widened is not to exceed 3% and we require 5 m x 5 m daylight visibility triangles between the access and widened road allowance limits of Queen Street in which the mature height of vegetation, object, etc. is not to exceed a height of 0.60 m above the corresponding perpendicular centreline elevation of Queen Street North."

- The Hamilton Region Conservation Authority and the Hamilton-Wentworth Regional Police Department have no comments or objections.

### COMMENTS

1. The proposal would conflict with the intent of the Official Plan in that it would be incompatible with established development in the surrounding area. However, should the application be approved an Official Plan Amendment would not be required.
2. The proposal conflicts with the intent of the approved Central Neighbourhood Plan which designates the subject lands "INDUSTRIAL" and for "MIXED USE" in the Central Area Plan. Approval of the application would require a redesignation to "MEDIUM DENSITY APARTMENTS". A Neighbourhood Plan Review is currently pending for the Hess Block, bounded by Barton, Hess, Cannon and Queen Streets. Accordingly, approval of the application would be premature.
3. The proposal cannot be supported for the following reasons:
  - i) it conflicts with the intent of the Official Plan and the Central Neighbourhood Plan;
  - ii) it would be incompatible with existing and future intended development in the surrounding area. In this regard, lands to the north and east are zoned and used for industrial purposes;

- iii) By-law No. 81-27 respecting the regulations of residential care facilities and short-term care facilities was passed by City Council on January 13, 1981. The effect of the By-law was to permit such facilities in a broad range of residential and commercial districts, with specific resident capacity limits and separation distances.

As set out under the "E" District provisions, a residential care facility with a maximum capacity of 20 residents is permitted, provided that it is situated on a lot having a minimum radial separation distance of 180.0 m (600 feet) to any other lot occupied or as may be occupied, by a residential care facility or short term care facility.

One of the prime goals of the residential care facility by-law is to provide the residents of such facilities with an opportunity to live in an environment that closely approximates a family situation in a residential neighbourhood.

The proposed 60 bed residential care facility is three times the capacity permitted under an "E" District, and as such, would result in the creation of an "Institutional" use. The proposal represents a significant departure from the provisions of the Residential Care Facility By-law and is contrary to the Provincial policies which were designed to encourage smaller facilities in residential neighbourhoods;

- iv) the proposal is considered premature until such time as the Neighbourhood Plan Review is completed.

4. The Building Department has reviewed the preliminary site plan submitted with the application and have noted the following by-law variances:

- Required Parking Spaces in the Required Front Yard (Section 18A.(14))

On the basis of the recommendation from the Hamilton-Wentworth Engineering Department that a minimum 10 foot road widening is required, 2 of the proposed 20 parking spaces would be situated within the proposed road widening, and 2 of the remaining 18 parking spaces would be located within the required front yard.

- Required Loading Space (Section 18A TABLE 3 2.)

One large loading space (3.7 m x 18.0 m x 4.3 m) is required to be provided and maintained on the lot, whereas, no loading space is being provided. The Traffic Department has advised that they would not support the requested variance.

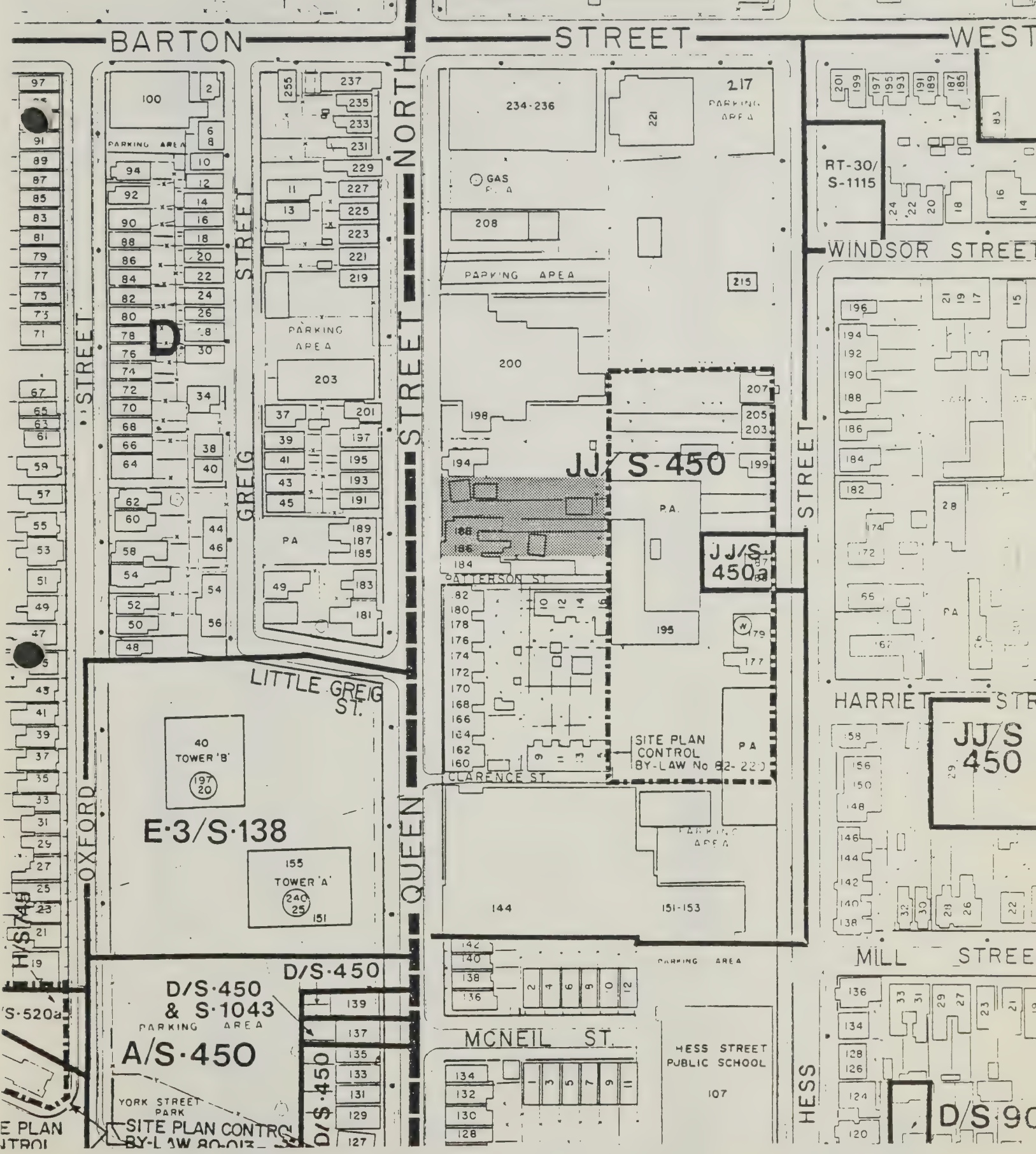
## **CONCLUSION**

Taking into consideration the foregoing comments, the application cannot be supported.

GAW/ma







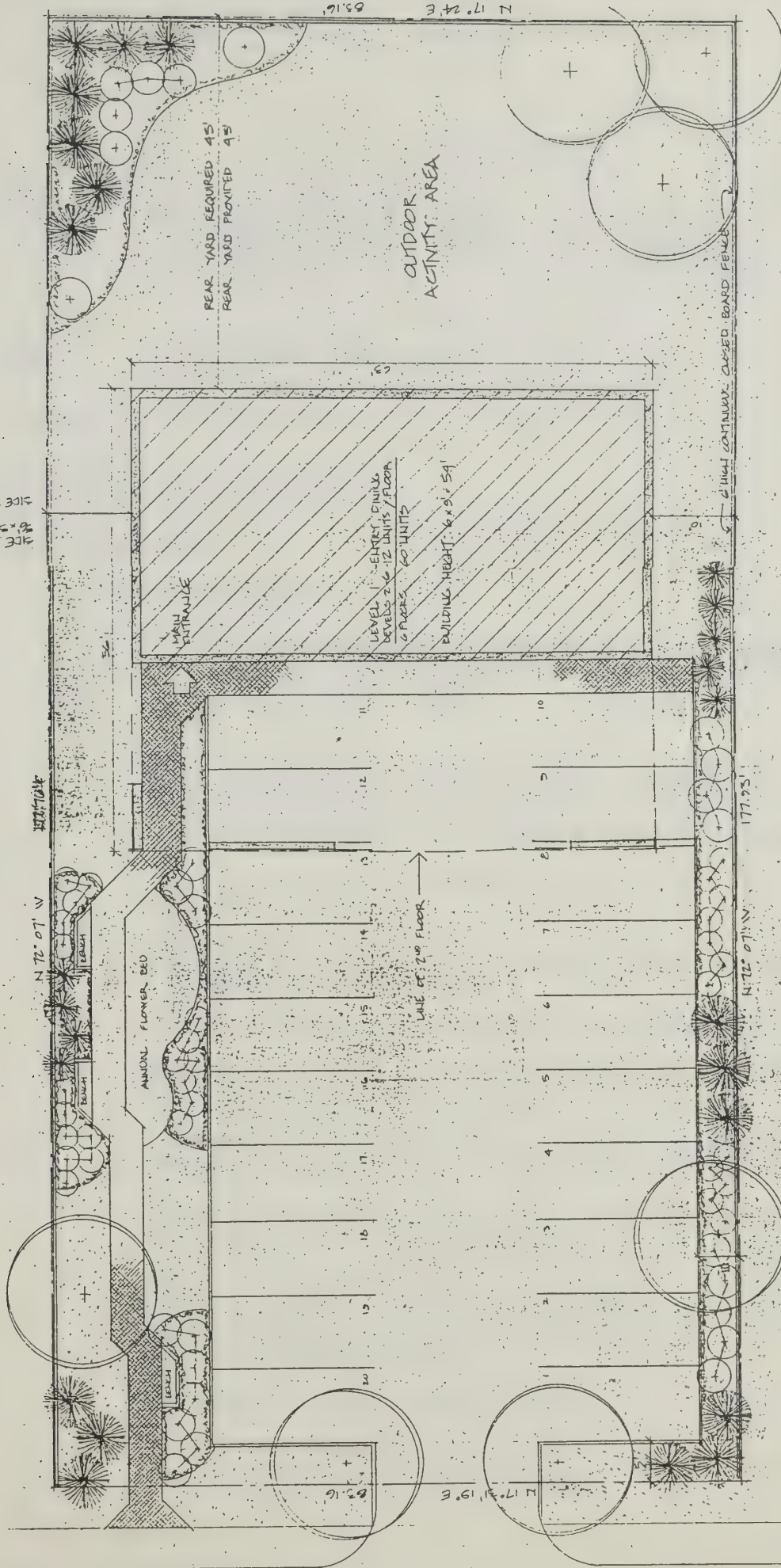
Legend



Site of the Application



SIDE YARD PG  
86' x 24' ± 120' ±



REAR YARD REQUIRED: 45'  
REAR YARD PROVIDED: 45'

OUTDOOR  
ACTIVITY AREA

PROPOSED

RETIREMENT

186-192 QUEEN ST. N. HAWAII  
FOR

MR & MRS SET

19 JULY '90

SITE DEVELOPMENT PLAN

SCALE 1/8" = 1'-0"







## FOR ACTION

**TO:** SUSAN K. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

**DATE:**  
**COMM FILE:**  
**DEPT FILES:**

October 30, 1990

25T-89029  
ZA-89-89  
CRERAR  
NEIGHBOURHOOD

**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT**

Proposed Draft Plan of Subdivision  
Proposed Rezoning Application

OCT 31 1990

**RECOMMENDATION**

**1. Subdivision Application**

- a) That approval be given to Application 25T-89029, Falconstone Development Corporation, owner, to establish a draft plan of subdivision north of Stone Church Road and west of Upper Wentworth Street, subject to the following conditions:
1. That this approval apply to the Plan prepared by Falcone Smith Associates Inc., dated August 23, 1989, showing 40 lots, 14 blocks (Block "41" to "54" inclusive) for development with adjacent lands, three blocks (Block "55" to "57" inclusive) as 0.3 metre reserve and two Blocks "58" and "59" as road widenings.
  2. That the streets and the street widening be dedicated to the City of Hamilton as public highway on the final plan.
  3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4. That the final plan conform with the Zoning By-law approved under The Planning Act.
  5. That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes.
  6. That such easements as are required for utility and drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  8. That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Blocks "55" to "57" inclusive) to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  9. That Blocks "41" to "54" inclusive be developed only in conjunction with abutting lands.
  10. That lots 1-18 not be registered until the construction of services on Crerar Drive to the north of this development has been approved.

11. That the road allowance along the front of lots 19 and 20 and along the flankage of lot 18 be established to the full width of the road allowance in the Final Plan.
  12. That the road allowance along the flankage of lots 6 and 14 be established to show the full intersection at Crerar Drive and the east west local road in the Final Plan.
  13. That a minimum centreline radius of 110.0 metres be established along the centreline of Crerar Drive.
  14. That the owner dedicate sufficient lands to the Region, to establish the property line at 18.29 m (60 feet) from the centreline of the original Upper Wentworth Street road allowance, and these lands be shown as a separate block.
  15. That the owner dedicate sufficient lands to the Region, to establish the property line at 15.24 (50 feet) from the centreline of the original Stone Church Road road allowance, and these lands be shown as a separate block.
  16. That the cul-de-sac road allowance width must be increased to 20.0 metres.
  17. That prior to the final plan, sewers and watermain have been extended to service this development.
  18. That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  19. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89029, Falconstone Development Corporation), owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- c) That the Crerar Neighbourhood plan be changed accordingly.

## 2. Rezoning Application

That approval be given to Zoning Application 89-89, Falconstone Development Corporation, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to subdivide the subject land into building lots for single-family detached dwellings, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East, as shown on the attached map marked as APPENDIX "A", on the following basis.

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council; and,
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

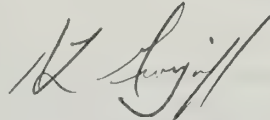
### EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East, as shown on the attached map.

The effect of the By-law is to subdivide the subject land into building lots for single-family detached dwellings.



**J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development**



**A. L. Georgieff, M.C.I.P.  
Director - Local Planning**

### FINANCIAL IMPLICATIONS:

N/A

### BACKGROUND:

#### Owner:

Falconstone Development Corporation, Hamilton, Ontario.

#### Agent:

May, Pirie and Associates Limited, Burlington, Ontario.

#### Surveyor:

MacKay, MacKay & Peters, Hamilton, Ontario.

#### Location:

The lands, comprising 2.8 ha, are located north of Stone Church Road and west of Upper Wentworth Street in the Crerar Neighbourhood, City of Hamilton.

### LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	vacant	"AA" (Agricultural) District
<u>Surrounding Lands</u>		
to the north	school & vacant	"AA" (Agricultural) District
to the south	car dealership, townhouses, and single- family dwellings	"AA" (Agricultural) District, "RT-10" (Townhouse) District, modified and "C" (Urban Protected Residential, etc.) District



to the west	schools & single-family dwellings	"AA" (Agricultural) District and "C" (Urban Protected, etc.) District
to the east	townhouses & car dealership	"AA" (Agricultural) District and "RT-10" (Townhouse) District modified

### **Proposal - Subdivision**

The owner proposes to subdivide the lands into 40 lots for single-family dwellings, 10 blocks (Blocks "41" to "51" inclusive) for development with adjacent lands, 4 blocks (Blocks "52" to "55" inclusive) for road widening, 4 daylight triangles and 3 blocks (Block "56" to "58" inclusive) as 0.3m reserves. The lots will be serviced from the roads to be established by this plan. Minimum size of lots for the single-family dwellings will be a width of 12 m and an area of 366m<sup>2</sup>.

### **Proposal - Zoning**

The owner has requested that the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential) District to allow for the development of single-family dwellings.

### **EXISTING DEVELOPMENT CONTROLS:**

Hamilton-Wentworth Official Plan - the lands are identified as "Urban Policy Area - Residential and Related Uses". The proposal complies.

City of Hamilton Official Plan - the lands are designated "Residential". The proposal complies.

Neighbourhood Plan - the lands are designated Attached Housing, Low Density Apartment and Double Residential. The proposal would require an amendment to the neighbourhood plan.

Zoning - an amending Zoning By-law is required to permit the proposed development.

Niagara Escarpment - the lands are not within the "Development Control Area", therefore, the regulations do not apply.

### **COMMENTS FROM CIRCULATION:**

#### **1. Subdivision Application**

The following agencies have advised they have no comment or objection toward the proposal:

- o Ministry of Transportation;
- o Ministry of the Environment;
- o Ministry of Natural Resources;
- o Ministry of Culture & Communications;
- o Hamilton Region Conservation Authority;
- o Ontario Hydro, Union Gas and Bell Canada;
- o City of Hamilton Traffic Department;
- o City of Hamilton Building Department (subject to rezoning).



The Hamilton-Wentworth Department of Engineering has submitted the following comments and recommendations:

1. Public watermain are available on Stone Church Road and Upper Wentworth Street to service the proposed development. It is expected that there will be cost sharing with the Region of approximately \$28,000.00 due to oversizing of watermain on Crerar Drive.
2. Public storm and sanitary sewers are available on Stone Church Road and Lots 19 to 40 including Blocks 41 to 48 can be serviced to these sewers.
3. The installation of municipal services (water, roadways, storm and sanitary sewers) for lots 1 to 18 is dependent on the servicing of lands to the north of this development.

It is expected that there will be cost sharing, with the Region's share being of approximately \$39,000.00 due to oversizing of Storm and Sanitary Sewers on Crerar Drive.

4. Because a full road allowance is required for the installation of municipal services, the owner of this subdivision should acquire the required amount of land to establish full road allowances in front of lots 19 and 20 and along the flankage of lots 6, 14, and 18, or make arrangements to have the owner of adjacent lands dedicate that portion of his property to the City to be opened as public road allowance by By-law in conjunction with the registration of the Final Survey Plan.
5. Blocks 49 and 50 must be developed in conjunction with lands to the north and these matters should be resolved prior to this draft plan to ensure this land develops in an orderly manner.
6. Block 52 (0.3 metre reserve) is not required, because the subdivision to the north will be developed first and there will be a 0.3 metre reserve established at the dead-end of Crerar Drive in that subdivision at the time of development of these lands.
7. Access to lots 1 and 7 and lots 30 and 31 is to be from the local street only.

Recommendations:

1. That lots 1-18 not be registered until the construction of services on Crerar Drive to the north of this development has been approved.
2. The road allowance along the front of lots 19 and 20 and along the flankage of lot 18 to be established to the full width of the road allowance in conjunction with the registration of the Final Survey Plan. (See attached plan.)
3. The road allowance along the flankage of lots 6 and 14 to be established to show the full intersection at Crerar Drive and the east west local road in conjunction with the registration of the Final Survey Plan. (See attached plan.)
4. A 0.3 metre reserve be established along the open side of the road allowance and at all dead ends. (See attached plan.)
5. A minimum centreline radius of 110.0 metres must be established along the centreline of Crerar Drive for the horizontal curve. (See attached plan for alignment.)
6. The applicant is to dedicate sufficient lands to the Region, to establish the property line at 18.29 m (60 feet) from the centreline of the original Upper Wentworth Street road allowance, and these lands should be shown as a separate block.

The applicant is to dedicate sufficient lands to the Region, to establish the property line at 15.24 (50 feet) from the centreline of the original Stone Church Road allowance, and these lands should be shown as a separate block.

7. The cul-de-sac road allowance width must be increased from 18.0 metres to 20.0 metres and the plans should be revised accordingly.
8. The owner must enter into subdivision agreements with both the City and Region prior to development of any portion of these lands.

The submitted plan, as prepared by J. David Peters, O.L.S. and dated August 18, 1989, is satisfactory to the Department of Engineering subject to the above noted comments and recommendations.

2. Rezoning Application:

The following agencies and departments have no comment or objection:

- o Hamilton Region Conservation Authority;
- o Local Architectural Conservation Advisory Committee staff;
- o Hamilton-Wentworth Regional Police;
- o Traffic Department; and,
- o Building Department.
- o The Hamilton-Wentworth Engineering Department has advised:

"Public watermains and separate storm and sanitary sewers are available to service the subject lands.

For your information in conjunction with this application, the applicant has also submitted a draft plan of subdivision under our file S703-73 and details of development are to be finalized through the plan of subdivision. We have a number of concerns under the subdivision relating to co-ordinated development between all adjacent land owners since the ring road street was to have a minimum radius of 110 m at the centreline, access restrictions, sight visibilities etc. It is unclear when the applicant/owner will develop these lands. Therefore, as a condition of development approval we require that sufficient lands be dedicated to the Region to establish the property line 15.24 m from the centreline of the original Stone Church Road road allowance and 18.29 m from the centreline of the original Upper Wentworth Street road allowance".

Comments:

1. This report deals with and includes recommendations in regard to a proposed draft plan of subdivision and a proposed amendment to the Zoning By-law to implement the plan.
2. As no part of the subject land is designated for park or recreational use in the approved neighbourhood plan, it is recommended that the parkland requirement for this subdivision be taken as cash-in-lieu of land.
3. The plan, as shown, appears to be acceptable to adjoining land owners, however, the owner is requested to obtain written confirmation from all affected parties prior to the issuance of draft approval.
4. The Crerar Neighbourhood Plan should be changed by redesignating the Attached Housing and Low Density Apartment sections to Single and Double Residential and by adjusting the road pattern.

5. The requirement of the Ministry of Culture and Communication can be implemented through the conditions of draft approval to be established by the Commissioner of Planning and Development.
6. The proposal has merit and can be supported for the following reasons:
  - i) it implements the intent of the Official Plan;
  - ii) it would be compatible with the existing and proposed development in the area; and,
  - iii) the requested zoning is appropriate for the subject development.

Based on the foregoing the application can be supported.

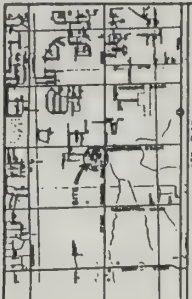
JLS:dc  
Encl.

ACTN89.029









# DRAFT PLAN OF SUBDIVISION PART OF LOT II, CONCESSION 7 IN THE GEOGRAPHIC TOWNSHIP OF BARTON NOW IN THE CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH REQUIREMENTS OF THE PLANNING ACT 1983 (50.2)

Before This Plan Is Submitted To The Planning Board, The Applicant Must Submit The Following Information:

DESIGN CRITERIA AND LAND USE SCHEDULE	USE	LOT/FLOOR	ADDITIONAL
Residential	Lot 1 to 40	1.0 Ha.	1.0 Ha.
Public	Lot 41 to 51	0.4 Ha.	0.4 Ha.
0.30m Residential	Lot 52 to 54	0.30m	0.30m
Public	Lot 55 and 56	0.4 Ha.	0.4 Ha.
TOTAL		2.8 Ha.	2.8 Ha.

Total number of lots: 56  
Total land holdings: 2.8 Ha.

## CRERAR NEIGHBOURHOOD

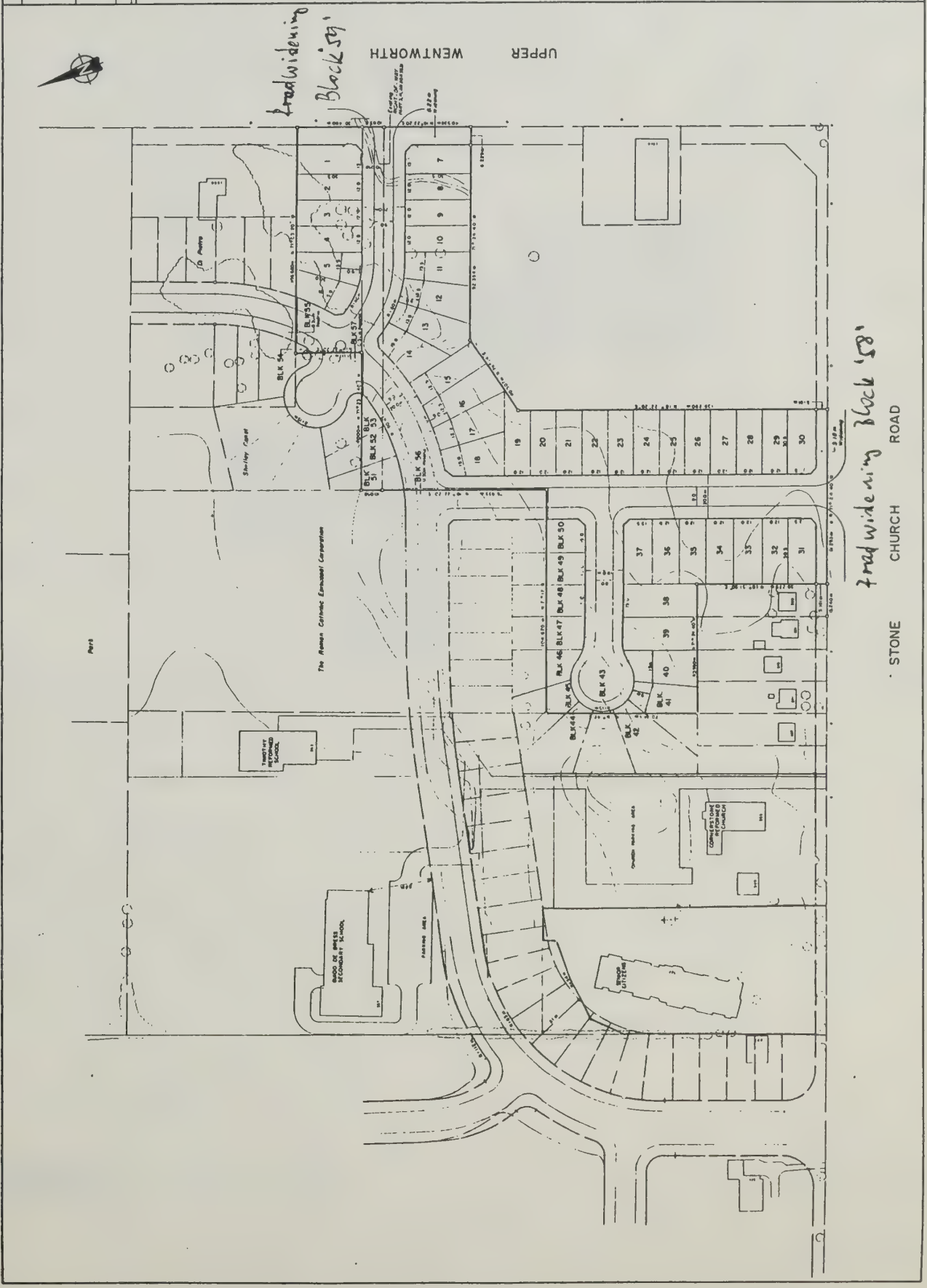
## SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the land to be subdivided and the area of the land are as shown on this plan and that the same are in accordance with the requirements of the Planning Act 1983 (50.2).

## OWNER'S CERTIFICATE

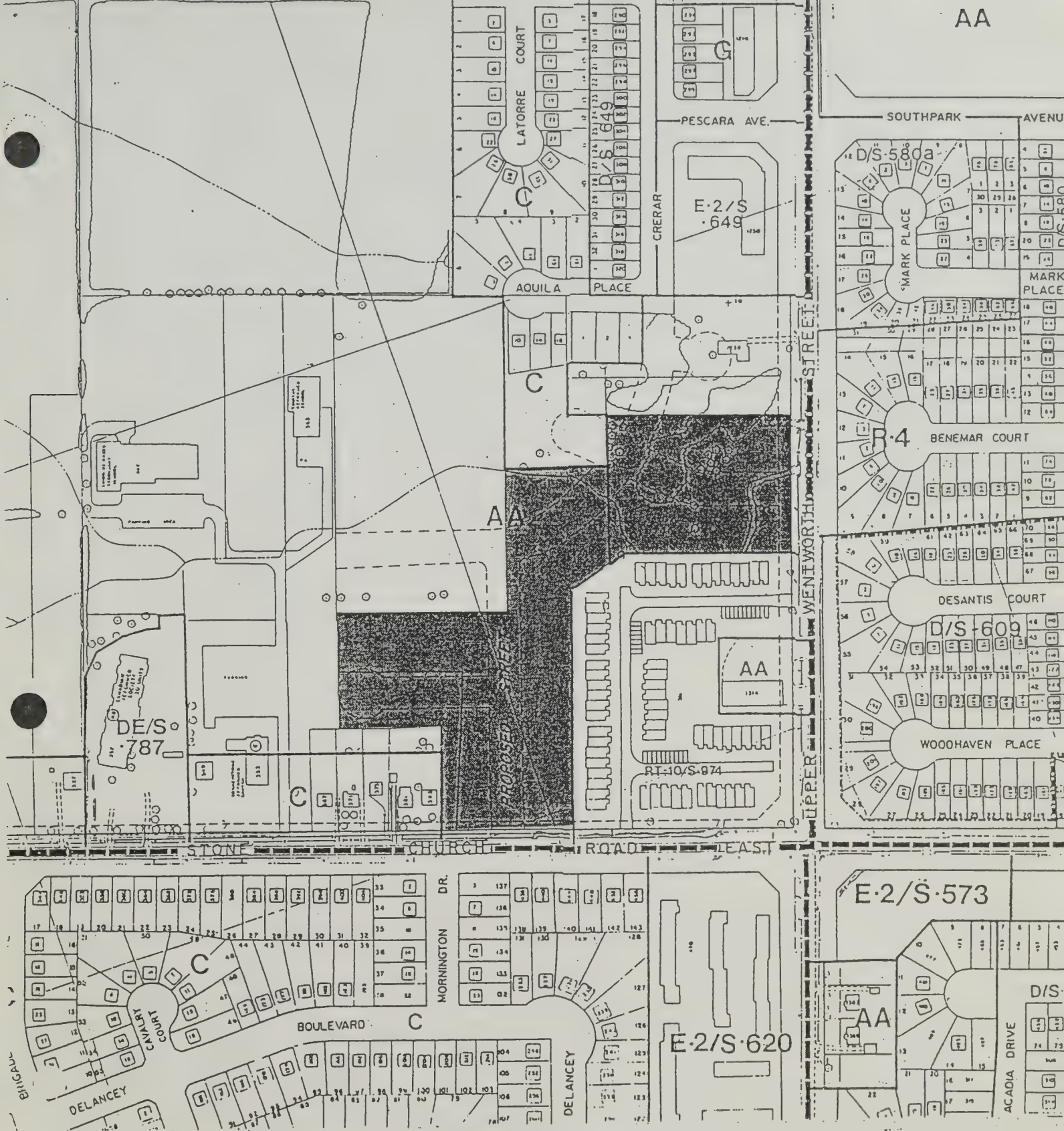
I hereby certify that the boundaries of the land to be subdivided and the area of the land are as shown on this plan and that the same are in accordance with the requirements of the Planning Act 1983 (50.2).

1:750 0.25 m = 1 cm  
SCALE: CONTOUR INTERVALS: 5 m  
DATE: 1983  
PROJECT: 1983  
Falcone Smith Associates Inc.  
Registered Professional Surveyors  
Hamilton, Ontario



257-89029





Legend



Site of the Application



APPENDIX A





## FOR ACTION

REPORT TO:

SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

## DATE:

October 31, 1990

## COMM. FILE:

DEPT. FILE: ZA-89-123

Westdale

South

Neighbourhood

FROM:

J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

SUBJECT

Request for changes in zoning - No. 690 Main Street West.

RECOMMENDATIONS

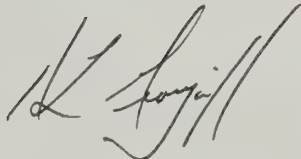
1. That approval be given to amended Zoning Application 89-123, Fenwood Developments Ltd., owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", to permit development of the subject lands as a twin tower condominium apartment building with 9,000 square feet of commercial floor space, for property located at No. 690 Main Street West, as shown on the attached map marked as APPENDIX "A", on the following basis:
  - i) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District;
  - ii) That Block "2" be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District;
  - iii) That Block "3" be rezoned from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District;
  - iv) That Block "4" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District;
  - v) That the "CR-2" (Commercial-Residential) District regulations, as contained in Section 15B of Zoning By-law No. 6593, applicable to Blocks "1", "2", "3", and "4", be modified to include the following variance as a special provision:

- a) That notwithstanding Section 18(4)(iv), one accessory structure shall be permitted in the required front yard and west side yard;
  - vi) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and the subject lands on Zoning District Map W-73 be notated S- ;
  - vii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-73 for presentation to City Council; and,
  - viii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of site plans, which include the implementation of a Shadow Casting Analysis to the satisfaction of the Director of Local Planning.

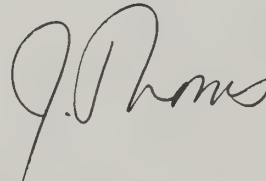
#### **EXPLANATORY NOTE**

The purpose of the By-law is to establish changes in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", for property located at No. 690 Main Street West, as shown on the attached map.

The effect of the By-law is to permit development of the subject lands for a twin tower condominium apartment building (maximum 18 storeys in height) joined by a one-storey building consisting of 9,000 square feet of commercial floor space. In addition, the By-law provides a variance to permit a tennis court in the required front and west side yards.



**A.L. Georgieff, M.C.I.P.**  
**Director of Local Planning**



**J.D. Thoms, M.C.I.P.**  
**Commissioner**  
**Planning and Development Department**

#### **FINANCIAL IMPLICATIONS**

N/A

## **BACKGROUND**

The applicant is proposing to build a twin tower condominium development with commercial floor space included to serve the residents. The west tower is proposed to be 18 storeys in height with 76 units and the east tower is proposed to be 21 storeys in height with 88 units. The two buildings are to be joined by one storey of commercial floor space of approximately 9,000 square feet. The commercial uses would be those permitted as-of-right under the "CR-2" (Commercial-Residential) District regulations.

## **APPLICANT**

Fenwood Developments Limited, owner.

## **LOT SIZE AND AREA**

The subject property is irregular in shape and has:

- 150.7 m (494.5 feet) of frontage on Main Street West;
- 145.9 m (478.75 feet) of lot frontage on Macklin Street; and,
- 1.1 ha (2.8 acres) of lot area.

## **LAND USE AND ZONING**

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	bingo hall	"C" (Urban Protected Residential, etc.) District, "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, "G-3" (Public Parking Lots) District, and "H" (Community Shopping and Commercial, etc.) District
<u>Surrounding Lands</u>		
to the north	single-family homes and industrial	"C" (Urban Protected Residential, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District
to the south	commercial	"H" (Community Shopping and Commercial, etc.) District
to the west	single-family homes	"C" (Urban Protected Residential, etc.) District



to the east

15 storey apartment  
building

"E" (Multiple Dwellings, Lodges,  
Clubs, etc.) District, modified

## **OFFICIAL PLAN**

Designated "COMMERCIAL" on Schedule "A" - Land Use Concept, the following policies should be noted:

"A.2.2.1      The primary uses permitted in the areas exceeding .4 hectare designated on Schedule 'A' as COMMERCIAL will be for Commerce. In this regard, Commerce is defined as establishments involved in the buying and selling of goods and services; business offices; and hotels, convention and entertainment facilities. In addition to the primary permitted uses, the following may be permitted within COMMERCIAL areas provided that they have been designated in the Neighbourhood Plan:

i)      Residential Uses;

A.2.2.29      Any structure containing both residences and COMMERCIAL Uses, including offices primarily intended to offer goods and services to persons other than the residential occupants thereof, will be deemed to be mixed COMMERCIAL/RESIDENTIAL. Such uses may be permitted in areas designated COMMERCIAL provided that they have been identified in the Neighbourhood Plan and satisfy the following provisions:

i)      Amenity spaces will be provided exclusively for the Residential component and will be functionally separated from public areas associated with the COMMERCIAL component;

ii)      Prior to any approval for proposed COMMERCIAL/RESIDENTIAL development, Council will be satisfied that any impacts emanating from the COMMERCIAL component which will detract from the amenity of the associated Residential Uses will be minimized;

iii)      Customer parking areas associated with the COMMERCIAL component will preferably be physically separated from such areas provided for the Residential Uses and, in any instance, their use will not interfere with the safe and efficient use of Residential parking areas; and,

iv)      Council will be satisfied that existing engineering services, school facilities, parks and similar community facilities are, or may feasibly be made to be, adequate to serve the residents of proposed COMMERCIAL/RESIDENTIAL development prior to any approval being given.

A.2.2.34      Where COMMERCIAL USES are proposed to be developed adjacent to Residential land uses, Council will be satisfied that the following provisions are adequately met:



- i) Access drive, parking and service areas will be screened and/or buffered such that noise, light or undesirable visual impacts emanating from the COMMERCIAL USE are mitigated;
- ii) Light from standards or other external lighting fixtures, excluding those used for store and window display or wall illumination, will be directed downwards and shielded or oriented as much as practicable away from the adjacent Residential Uses; and,
- iii) Light standards will be of a height that is in scale with the facility, but will not be of a height sufficient to create a nuisance to adjacent land uses."

Based on the foregoing, the application does not conflict with the intent of the Official Plan.

### **NEIGHBOURHOOD PLAN**

There is no neighbourhood plan for the Westdale South Neighbourhood.

### **COMMENTS RECEIVED**

- The following agency has no objection:
  - Hamilton Region Conservation Authority.
- The Building Department has advised that:
  - "1. The most easterly parking space in the front yard is in the required front yard 9.0 m and should be removed. All other parking in this area is approved.
  2. Amenity areas are required as per Section 15B(19).
  3. Landscaped areas to be provided as per Section 15B(21).
  4. The tennis court is partially in the required front and side yards. Add this as an amendment to the zoning change."

And further advised:

"The calculations in Mr. Singer's letter of October 19, 1990, will meet the By-law requirements for the landscaping, amenities and the building setback off Macklin Street and Olmstead Street."

- The Traffic Department has advised that:

"Please be advised that while we have no objection to the proposed change in zoning, we do have a number of comments to make regarding the submitted plans. They are as follows:

1. We recommend that the issue of elevations and grades on Olmstead Street be addressed and that they be coordinated with the development across the street (ZA-89-64, 6 Olmstead Street) so that they do not conflict.
2. We recommend that the loading space behind Block B be altered as shown on the attached plan to allow trucks leaving the site access to Macklin Street rather than trucks having to back out onto Olmstead Street in front of the parking ramp. However, we do recommend that this access be an exit-only and signed as 'No Entry'.
3. We suggest linking the loading space behind Block A with the front drop-off area to make a continuous truck movement around the building rather than having the truck make a long back-up movement out onto Olmstead Street.
4. It should be noted that there is inadequate manoeuvring room for a truck to drive in and circle around in the driveway in front of the buildings. Trucks backing out of this driveway onto Macklin Street would be unacceptable.
5. The basement plan states that there are 105 parking spaces on each level and yet we see only 102 parking spaces on each level.
6. The widths of the parking spaces must be a clear 2.7 m without the support columns lessening this width.
7. We suggest moving the ramp as shown on the attached plan. This would line up with the aisle better and make manoeuvring easier. We also suggest extending the paved area as shown. This would give room for one additional parking space.
8. We recommend that the walls on either side of the parking ramps be a maximum 0.85 m above ground elevation so as not to obstruct a driver's view when exiting or entering the underground ramp."

- The Hamilton-Wentworth Engineering Department has advised that:

"There are public watermains and combined sewers available to service the subject lands. We note that the storm and sanitary sewers from this site should be connected to the sewers on Main Street.

According to our records, the alleyway running through the subject lands has been closed.

According to our plans, it appears that adjacent residents on Paradise Road have been using these lands to gain access to the rear of their properties and this matter should be resolved

between adjacent owners. As the applicant is aware, Olmstead Street is not connected between Paradise Road and Macklin Street due to severe grade changes within the road allowance and on adjacent property. Furthermore, Olmstead Street is not constructed to curb/gutter standards and according to sewer Plan A-198, services have been installed from Macklin Street to a point 60 m westerly. The road grades on this section of Olmstead Street would vary from  $\pm 1.12\%$  to 6% at the westerly end. Therefore, access to Olmstead Street could be considered from Macklin Street to a point 60 m westerly only.

We have a number of concerns with respect to grading on private lands and the Olmstead Street road allowance which can be addressed at the site plan stage. The westerly access on Olmstead Street may have to be shifted east to avoid the embankment at the west end of the street. At that time, we will also specify any agreements which may be required with the City of Hamilton for the use of the road allowance etc.

In the absence of any details shown, we advise that any works within the adjacent road allowance must conform to the respective Street By-laws.

Comments from the City of Hamilton Traffic Department with respect to access design and setbacks from intersections on Macklin and Olmstead Streets should be considered. The underground ramps appear to be too close to Olmstead Street to provide manoeuvring etc. on private property."

## **COMMENTS**

1. The proposal does not conflict with the intent of the Official Plan.
2. The proposal has merit and can be supported for the following reasons:
  - i) it provides for a comprehensive redevelopment of the subject lands which is more desirable than a piecemeal development;
  - ii) the lands are suitably located on a major road (Main Street West) with public transit access; and,
  - iii) the development would contribute to a mix of types of housing in terms of density and tenure in West Hamilton.

3. Based on preliminary plans submitted, the following variance has been identified:

- Accessory Structure in the Required Front Yard and West Side Yard (Section 18(4)(vi))

The Building Department has advised that the proposed tennis court is considered to be an accessory structure and, as such, is not permitted in the required front yard and west side yard. A variance to permit the tennis court in the front and west side yards can be supported as it is minor in nature and should not have any impact on the adjoining property owners.



4. This part of the Westdale South Neighbourhood is predominantly residential but varies in density from single-family homes to a fifteen storey apartment building. In particular, the subject lands adjoin single-family homes to the west and north. Given the existing pattern of land use, and the proposed height of this project (i.e. 19 to 21 storeys), the applicant has undertaken a preliminary shadow-casting study to determine the shadow effects the proposal will have on the adjoining properties. The results of this study indicate that the west tower will cast shadows onto some of the houses on Paradise Road North.

Staff of the Planning and Development Department reviewed the shadow-casting and have determined that, with a reorientation of the buildings on the property, the sun shadow effects on the affected houses will be substantially reduced.

Discussions have taken place with the applicant, who has agreed to amend the application to request a "CR-2" (Commercial-Residential) District to partially address the shadow impacts. The effect of this amendment will permit construction to a maximum of eighteen storeys, as opposed to the twenty-four storeys permitted in the previously requested "CR-3" (Commercial-Residential) District. Further, because the placement of the buildings on the lot is important in determining the shadow effects on the adjoining single-family homes, the applicant has also agreed to apply for and receive approval of site plans, incorporating the results of the shadow-casting, prior to the passing of the amending By-law.

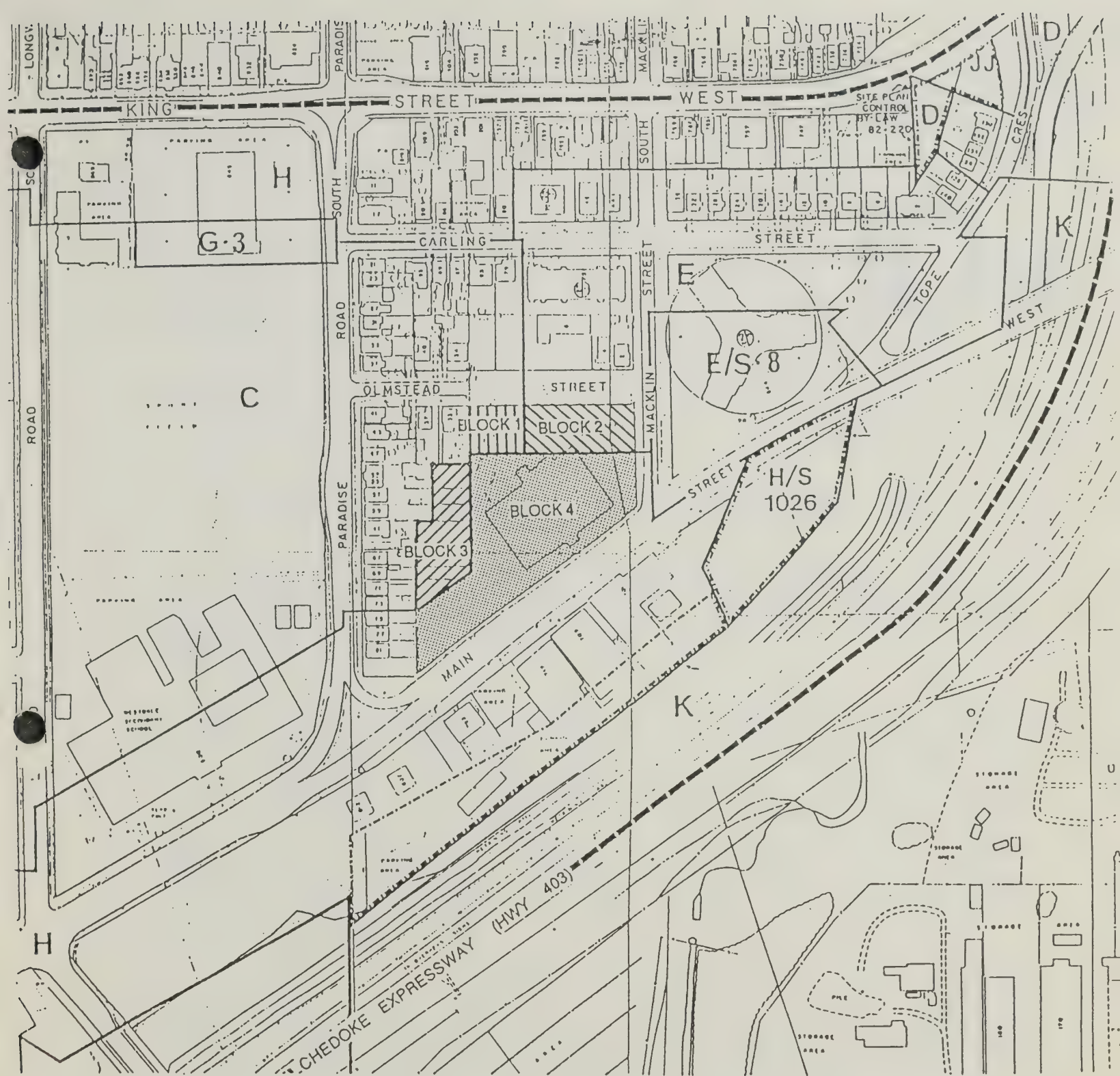
5. The "CR-2" (Commercial-Residential) District is subject to Site Plan Control By-law No. 79-275, as amended by By-law No. 87-223. Matters such as landscaping, parking, the shadow-casting, and the concerns of the Traffic Department will be addressed at that stage of development approval.

## **CONCLUSION**

Based on the foregoing, the amended application can be supported.





MLT/ma  
WPZA89123





### Legend

Proposed change in zoning from:

- |         |   |   |
|---------|---|---|
| BLOCK 1 |  | "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District.       |
| BLOCK 2 |  | "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District. |
| BLOCK 3 |  | "G-3" (Public Parking Lots) Districts to "CR-2" (Commercial-Residential) District.                  |
| BLOCK 4 |  | "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District. |





PLANNING & DEVELOPMENT LOCAL PLANNING BRANCH				
File No	2A-89-123			
TO	STAFF	INIT.	INFO.	ACT.
10a.				
	CART.			
	ADMIN.			

Planning and Development Committee  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

October 20, 1990  
To the Secretary,

Dear Sir or Madam,

Re: Changes in Zoning NO. 690 Main Street West  
File-ZA89-123, SEQ-00467

Please be advised that in the matter of changing the zoning of Block 1 from C to CR-3, Block 2 from E to CR-3, Block 3 from G-3 to CR-3 and Block 4 from H to CR-3, in order to build an 18-storey and a 21-storey condominium on this lot, I am strongly opposed.

As an area resident I feel that the buildings in question are too high and intrusive for this residential area of small homes, and would effectively shut off the sun from the east and south from many of our properties. At ten feet per storey, they would rise 180 and 210 feet respectively above the level of present building and parking lot, or approximately 140 and 170 feet above the houses immediately behind. This lot slopes upwards at the Main West side and has an abrupt hill of some 40 feet or more at the "Olmstead" side. Please note that the street marked "Olmstead" on the map DOES NOT go through from Macklin Street to Paradise Road.

Asides from esthetic considerations, and probable devaluation of our homes, it should be noted that 164 condominiums alone would require room for 164 cars, aside from the traffic caused by a commercial area. There is already very little on-street parking in the area, and a lot of cars from the Beverly Hills apartment block are already using the street or the parking lot on the lands described above. In addition, the through roads bounding this lot, Carling and Macklin, are both VERY STEEP hills, and difficult to negotiate, especially in the winter. Carling especially is not well plowed.

As for Main West, the described property fronts onto the stretch of road immediately below a hill and before the Main Street bridge. This would be a dangerous place for an entrance, as well as already being somewhat congested, especially at rush hour, as only King Street and Main Street offer access to the Westdale area.

For these reasons, I am registering my strong protest and hope that you will take these facts and the concerns of the neighbours into consideration before approving the proposed changes.

Sincerely,

HOMEOWNERS

Frank + Davis Holland.  
Barnes Heights

or Mr. Smith

William Wood

Joe Wood

Marion Clementi (+ Paradise Rd S)



Mrs. Beverley J.L. Niven  
33 Paradise Road South  
Hamilton, Ontario  
L8S 1S2

Planning and Development Committee  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

October 20, 1990  
To the Secretary,

Dear Sir or Madam,

Re: Changes in Zoning NO. 690 Main Street West  
File-ZA89-123, SEQ-00467

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As an area resident I feel that the buildings in question are too high and intrusive for this residential area of small homes, and would effectively shut off the sun from the east and south from many of our properties. At ten feet per storey, they would rise 180 and 210 feet respectively above the level of present building and parking lot, or approximately 140 and 170 feet above the houses immediately behind. This lot slopes upwards at the Main West side and has an abrupt hill of some 40 feet or more at the "Olmstead" side. Please note that the street marked "Olmstead" on the map DOES NOT go through from Macklin Street to Paradise Road.

Asides from esthetic considerations, and probable devaluation of our homes, it should be noted that 164 condominiums alone would require room for 164 cars, aside from the traffic caused by a commercial area. There is already very little on-street parking in the area, and a lot of cars from the Beverly Hills apartment block are already using the street or the parking lot on the lands described above. In addition, the through roads bounding this lot, Carling and Macklin, are both VERY STEEP hills, and difficult to negotiate, especially in the winter. Carling especially is not well plowed.

As for Main West, the described property fronts onto the stretch of road immediately below a hill and before the Main Street bridge. This would be a dangerous place for an entrance, as well as already being somewhat congested, especially at rush hour, as only King Street and Main Street offer access to the Westdale area.

PLANNING & DEVELOPMENT LOCAL PLANNING BRANCH						
File No.	Date	TO	DATE	INIT.	INFO	ACT.
ZA-89-123	OCT 23 1990					
		DIR.				
		LEGAL				
		FIN.				
		ENG.				
		ENV.				
		PLN.				
		ADM.				
		COMM.				
		RECORDS				
		TRAINING				
		OTHER				

10b.

For these reasons, I am registering my strong protest and hope that you will take these facts and the concerns of the neighbours into consideration before approving the proposed changes.

Sincerly,

Beverley Niven, homeowner

John R. Sauer  
2 Olmstead Street  
Hamilton, Ontario  
L8S 1N2  
October 24, 1990

10c.

City of Hamilton  
Planning and Development Dept.  
Attn: Susan K. Reeder

OCT 29 1990

Dear Ms. Reeder:

Approximately one year ago (October 11, 1989) I received notice of application for the development of a six storey condominium complex at #6 Olmstead Street which adjoins mine and my neighbour's properties. I was adamantly opposed to the further reduction in my fresh air and sunshine. The developer convinced me not to object to the development with the understanding that he would buy mine and my neighbour's property at an agreed upon price when the zoning was approved. This application has still not been approved or denied.

Due to the fact that a four storey unit borders my home to the north, and a fourteen storey apartment borders me to the east - another development would effectively close in a third side of my home. I feel that this "dwarfing" effect is unhealthy for me and my family.

I have now received notice of another proposed development on the property bordering me to the south, which will "box me in" on all four sides. If one of these developments is approved, it would logically follow that the other would be approved.

I do not wish to stand in the way of development of this highly valuable real estate, but I also do not wish to raise my young family in the shadow of these high rise complexes with little fresh air or sunshine. The tax base of these developments would be great, and the profit to the developer, highly lucrative. I believe that it is reasonable, that for either of these developers to obtain a zoning change, they offer me an equitable settlement for my property, in order that I may relocate my home operated business and my family home.

It is for these reasons that, for as long as I am owner of the property at #2 Olmstead Street, I vigorously oppose both of the proposed developments - **Planning Department File # ZA-89-123 and # ZA-89-64.** Further information and instructions are requested.

Sincerely,



John R. (Jack) Sauer.





## FOR ACTION

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

**DATE:** October 31, 1990

**COMM. FILE:**

**DEPT FILE:**

ZA-90-21  
Strathcona  
Neighbourhood

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Request for a change and modification in zoning - No. 125 Napier Street.

**RECOMMENDATIONS:**

- 1) That Zoning Application 90-21, Patran Limited Holdings, owner, requesting a change in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District, modified to permit the redevelopment of the subject lands for two, three storey; one, six storey; and one, fifteen storey multiple dwellings, for the property located at No. 125 Napier Street, as shown on the attached map marked as APPENDIX "A", be DENIED as submitted, for the following reason:
  - a) Approval of the application is premature pending the disposition of the applicant's remaining industrially zoned lands (fronting on Queen Street North) given the potential for land use conflicts.
- 2) That approval be given to Official Plan Amendment No.        to redesignate Block "2" as shown on APPENDIX "B" from "RESIDENTIAL" to "COMMERCIAL", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- 3) That approval be given to a further amended Zoning Application 90-21, Patran Limited Holdings, owner, for a change in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and to "H" (Community and Shopping and Commercial, etc.) District modified (Block "2"), to permit the development of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to permit commercial uses within the existing building (Block "2"), for the properties located at No. 125 Napier Street and No. 55 Queen Street North, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "B", on the following basis:
  - i) That Block "1" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "E-3" (High Density Multiple Dwellings) District;
  - ii) That Block "2" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
  - iii) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:

- a) That notwithstanding Section 11C(1a), no building or structure or portion thereof shall exceed:
  - 1) three storeys in height within area "A" on APPENDIX "C";
  - 2) six storeys in height within area "B" on APPENDIX "C"; and,
  - 3) fifteen storeys in height within area "C" on APPENDIX "C".
- b) That a minimum 3.0 m wide landscaped strip and a visual barrier not less than 1.2 m and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line.
- c) That in addition to the requirements of Section 18A(1), an additional 15 parking spaces shall be provided and maintained on the lot.
- iv) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
  - a) That notwithstanding Section 14.(1), the permitted uses shall only be permitted within the building existing at the date of the passing of the by-law.
- v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on Zoning District Map W-12 be notated S- ;
- vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council;
- vii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. by the Regional Municipality of Hamilton-Wentworth;
- viii) That the Strathcona Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to "High Density Apartments" for Block "1" and to "Commercial" for Block "2".

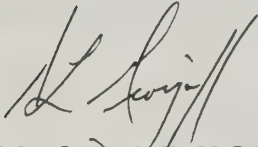
#### **EXPLANATORY NOTE:**

The purpose of this by-law is to provide for changes in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and to "H" (Community and Shopping and Commercial, etc.) District modified (Block "2"), for the properties located at No. 125 Napier Street and No. 55 Queen Street North, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "B".

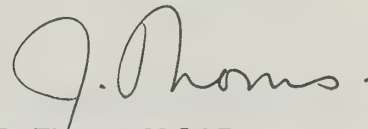
The effect of this by-law is to permit the redevelopment of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to permit commercial uses within the existing building (Block "2")

In addition, the by-law requires that:

- a minimum 3.0 m wide landscaped strip and 1.2 m to 2.0 m high visual barrier be provided and maintained along the westerly lot line; and,
- an additional fifteen parking spaces be provided and maintained on the lot .



**A.L. Georgeriff, M.C.I.P.**  
**Director of Local Planning**



**J.D. Thoms, M.C.I.P.**  
**Commissioner**  
**Planning and Development Department**

**FINANCIAL IMPLICATIONS:**

N/A

**APPLICANT**

Patran Limited Holdings, owner.

**BACKGROUND:**

• **Previous Proposal (ZA-89-04)**

The applicant's intent was to rezone the subject lands as well as the lands fronting on Queen Street North from "J" (Light and Limited Heavy Industry, etc.) District to "CR-2" (Commercial/Residential) District to permit the development of the lands for:

- a 15 storey apartment building having 268 units;
- a 2 storey commercial building for retail use; and,
- a 3 storey office building.

The applicant subsequently closed the application and submitted a revised one.

• **Current Proposal**

The current proposal involves only the lands municipally known as 125 Napier Street (see APPENDIX "A"). The applicant wishes to rezone the lands from "J" (Light and Limited Heavy Industry etc.) District to "E-3" (High Density Multiple Dwellings) District to permit redevelopment of the subject lands for:

- two, three storey apartment buildings, one fronting on Napier Street and the other fronting on Market Street;



- one, six storey building on the western half of the property; and,
- one, fifteen storey building on the eastern half of the property.

The buildings would be isolated to certain areas of the site through the use of building envelopes (see APPENDIX "C").

Parking for the buildings will be provided underground (maximum 219 spaces depending on the number of dwelling units). The applicant has advised that fifteen parking spaces may be made available for rent to the surrounding residents.

The Greening Donald building fronting on Queen Street North is intended to be retained and used for offices.

- Neighbourhood Meeting

On May 17, 1990, a public meeting was held with area residents, Alderman Kiss, the applicant and city staff. Concerns by area residents included:

- the number of parking spaces;
- access to the underground parking garage;
- tenure;
- possibility of road closures;
- zoning by-law restrictions under the "E-3" District regulations; and,
- sewer system capacity.

#### LOT SIZE AND AREA:

- 81.45 m (267.25 ft.) of lot frontage on Napier Street;
- 81.15 m (266.27 ft.) of lot depth; and,
- 6,270.8 m<sup>2</sup> (67,500 sq. ft.) of lot area.

#### LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	industrial buildings	"J" (Light and Limited Heavy Industry, etc.) District
<u>Surrounding Lands</u>		
to the north	apartment building	"E" (Multiple Dwellings, Lodges, Clubs, etc.) District
to the south	Mt. St. Joseph Centre	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District



to the east	apartment building	"E-3" (High Density Multiple Dwellings) District
to the west	single-family dwellings	"D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District

#### **OFFICIAL PLAN:**

The subject lands are designated "RESIDENTIAL" on Schedule "A". The following policies apply, among others:

- "A.2.1.1      The primary uses permitted in the areas designated on Schedule "A" as RESIDENTIAL will be for dwellings. Various types of dwellings are included within this designation, while preference will be given to the locating of similar densities of development together.
- A.2.1.3      Within areas designated RESIDENTIAL, land uses compatible to dwellings and deemed necessary by Council to serve the needs of local residents will be permitted, including, but not limited to:
- iv)      Limited individual or groups of commercial uses on sites not exceeding .4 hectare in area, excluding Automobile Service Stations, in accordance with the Local Commercial Uses and General Provisions set out in Subsection A.2.2 of this Plan.
- A.2.1.8      It is the intent of Council that a variety of housing styles, types and densities be available in all RESIDENTIAL areas of the City, and further, that proposals for new development or redevelopment will contribute to the desired mix of housing where practicable. In this regard, Council will be guided by the Housing Policies of Subsection C.7 and the Neighbourhood Plan Policies of Subsection D.2.
- A.2.1.14      In evaluating the merits of any proposal for multiple-family RESIDENTIAL development, Council will be satisfied that the following considerations are met:
- i)      The height, bulk and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding areas; and,
- ii)      Appropriate open space, including landscaping and buffering, will be provided to maximize the privacy of residents and minimize the impact on adjacent lower-density uses.
- C.7.2      Varieties of RESIDENTIAL types will not be mixed indiscriminately, but will be arranged in a gradation so that higher-density developments will complement those of a lower density, with sufficient spacing to maintain privacy, amenity and value.
- C.7.3      Council will ensure that the local RESIDENTIAL ENVIRONMENT is of a condition and variety satisfactory to meet the changing needs of area residents. Accordingly, Council will:

- iii) Encourage RESIDENTIAL development that provides a range of types and tenure to satisfy the needs of the residents at densities and scales compatible with the established development pattern."

Based on the foregoing, the proposal would not conflict with the intent of the Plan.

#### **NEIGHBOURHOOD PLAN:**

The subject lands are designated "Medium Density Apartments" in the approved Strathcona Neighbourhood Plan. A redesignation to "High Density Apartments" is required to permit the proposal.

#### **RESULTS OF CIRCULARIZATION:**

- The following Agencies have no comments or objections:
  - Hamilton Region Conservation Authority; and,
  - GO Transit.
- The Traffic Department has advised that:

"The approved neighbourhood plan designates this area for medium density multiple dwellings while the application proposes high density multiple dwellings. After discussions with your department, it was estimated that if the site were developed as medium density dwellings there would be 110 units and as high density dwellings there would be 185 units.

On an average weekday, the medium density dwellings would generate approximately 603 two-way trips and the high density dwellings would generate approximately 928 trips. During the p.m. peak hour, the medium density dwellings would generate approximately 50 two-way trips and the high density proposal would generate approximately 77 trips.

As the property is located adjacent to Queen Street North, which is one-way southbound, some of the trips would use the local neighbourhood streets. We estimate that approximately 31 trips would use local street during the p.m. peak hour with the high density proposal and 20 trips with the medium density scenario. The local streets have the capacity to accommodate these trips.

From the neighbourhood's point of view, these trips may or may not have an impact, depending on the sensitivity of the local residents.

The site was previously used for an industrial use and, therefore, the traffic generated by the multiple dwellings will be replacing the industrial traffic volume and won't be entirely new traffic volume. It is estimated that the industrial use generated 483 two-way trips on an average weekday and 83 trips during the p.m. peak hour. This compares to the 603 trips and 50 trips respectively for medium density dwellings and 928 trips and 77 trips respectively for high density dwellings.

In summary, the medium density scenario would have less impact on the neighbouring residents and on those terms may be more appropriate. But from a technical point of view, the traffic generated by high density dwellings could be accommodated."

- The Building Department has advised that:

"1. The only type of commercial uses permitted are service types of uses in a multiple dwelling containing at least 100 class A dwelling units and subject to the provisions of Section 11.(1)(xi) of Zoning By-law 6593.

2. No concept plan submitted to determine compliance to Zoning By-law No. 6593."

- LACAC has advised that:

"It was felt that the proposed development of this property was too intense for the size of the site and did not allow enough open space. The proposed low and high rise buildings do not correlate with each other nor with the surrounding neighbourhood and streetscape. The sub-committee would prefer low rise buildings constructed instead of both low and high rise buildings."

The building has been identified in LACAC'S industrial survey as a building of historical and architectural interest. The building dates back to 1907, as the only "surviving building of the factory complex of the B. Greening Wire Co."

- The Hamilton-Wentworth Engineering Department has advised that:

"...public watermains and combined sewers are available to service the subject lands.

In the absence of any details shown, we advise that any works within the adjacent road allowance must conform to the City of Hamilton Streets By-law.

Comments from the City of Hamilton Traffic Department should be considered with respect to access, loading on site etc.

In the absence of any details shown with respect to access, landscaping, setbacks etc., we recommend that these lands be developed through site plan control and that these development plans be submitted to our office for sight distances, grading of accesses etc. It is also our understanding that the applicant intends to build within 3 m of the existing street. We recommend that, if possible, this setback be increased to 5.49 m from the street line."

#### **COMMENTS:**

- 1) The proposal, as submitted, complies with the intent of the Official Plan. It should be noted that if an amended application to rezone Block "2" (APPENDIX "B") for commercial purposes is approved, an amendment would be required to redesignate Block "2" from "RESIDENTIAL" to "COMMERCIAL".



- 2) The proposal does not comply with the approved Strathcona Neighbourhood Plan. A redesignation from "Medium Density Apartments" to "High Density Apartments" is required. Furthermore, if an amended application to rezone Block "2" (APPENDIX "B") to commercial is approved, a redesignation would also be required.
  
- 3) The proposal, as submitted, cannot be supported for the following reason:
  - a) Approval of the application is premature pending the disposition of the applicant's remaining industrially zoned (lands fronting on Queen Street North) given the potential for land use conflicts.
  
- 4) The application to permit two, three storey apartment buildings/townhouses along the southerly lot line (Market Street) and the northerly lot line (Napier Street); a six storey apartment building between Market and Napier Streets; and a fifteen storey building located on the easterly half of the site has merit for the following reasons:
  - a) the arrangement of the buildings on the site allows for a "stepping down" of heights from fifteen storeys to six storeys to three storeys;
  - b) the three storey buildings are compatible with the surrounding residential development which includes single-family dwellings to the west and maintains the existing low profile streetscape along Market and Napier Streets;
  - c) the six storey building would be contained towards the centre of the site and is compatible with the surrounding existing and future land uses;
  - d) the fifteen building storey is centred towards Queen Street and is compatible in scale and character with the 15 storey apartment building to the east and the 21 storey building to the north.

In order to ensure the location of the various apartment buildings on the site, it would be appropriate to place building envelopes on the site. Within these envelopes, the buildings would be restricted to the heights proposed (see APPENDIX "C").

Furthermore, it would be appropriate to require a minimum 3.0 m landscaped strip and a 1.2 m to 2.0 m high visual barrier to be provided and maintained along the westerly property line to buffer the single-family dwellings from the proposed apartment buildings.

- 5) The applicant has indicated that he intends to use the existing building fronting on Queen Street for office uses (Block "2" - APPENDIX "B"). The lands are currently zoned "J" (Light and Limited Heavy Industrial) District which allows for a wide range of industrial and commercial uses. Given the potential for redevelopment of the subject lands under the "J" zoning and its detrimental effect on the proposed residential development (Block "1"), it is appropriate to rezone these lands to "H" and allow uses within the existing Greening Donald building only, for the following reasons:

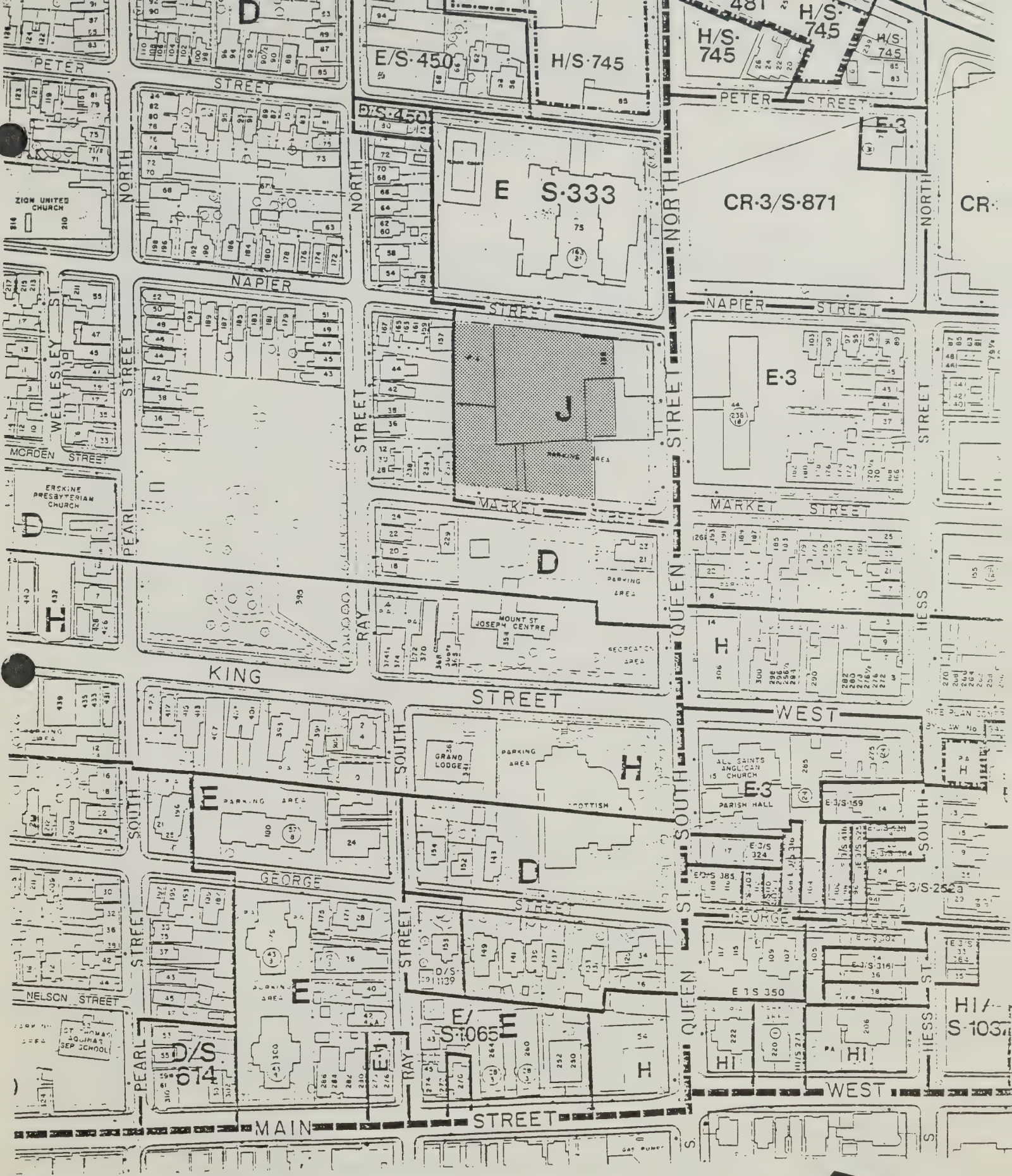


- a) it would provide for the elimination of an industrial district which is incompatible with the existing and the future intended land uses. Examples of permitted uses in the "J" District include animal products factory, distillery, ceramic factory, builders supply yard, fuel supply yard, etc.;
  - b) it will allow for an adaptive reuse of an historic and architecturally significant building.
- 6) The applicant has indicated that he would be willing to provide an additional 15 parking spaces over and above the one space per dwelling unit required by the Zoning By-law, for area residents. Accordingly, it is appropriate to require the additional spaces as part of the amending by-law. However, it should be noted that there is no legal mechanism the City can use to ensure these spaces are provided for the benefit of area residents.
- 7) The area residents have identified various concerns related to the proposed development, including:
- Subsidized Housing  
  
Area residents have expressed concern about the potential occupancy of the multiple dwellings (i.e. condominium, rental, or low income). In this regard, it should be noted that there is no legislative/legal basis to regulate the tenure of a land use under the Zoning By-law.
  - Sewer Capacity  
  
The Engineering Department has advised that sewer capacity is sufficient for the proposed development.
  - Impact on Roads and Road Closures  
  
The Traffic Department has advised that the road system can handle the projected traffic volumes. Furthermore, road closures are not appropriate in this area.
- 8) Under the "E-3" District regulations, the lands are subject to Site Plan Control By-law 79-275, as amended by 87-223. Matters such as parking, access, landscaping, etc. will be dealt with during the site plan approval process.

### **CONCLUSION:**

Based on the foregoing, the application as submitted cannot be supported. However, an amended proposal for both Blocks "1" and "2" (see APPENDIX "B") can be supported.





Legend

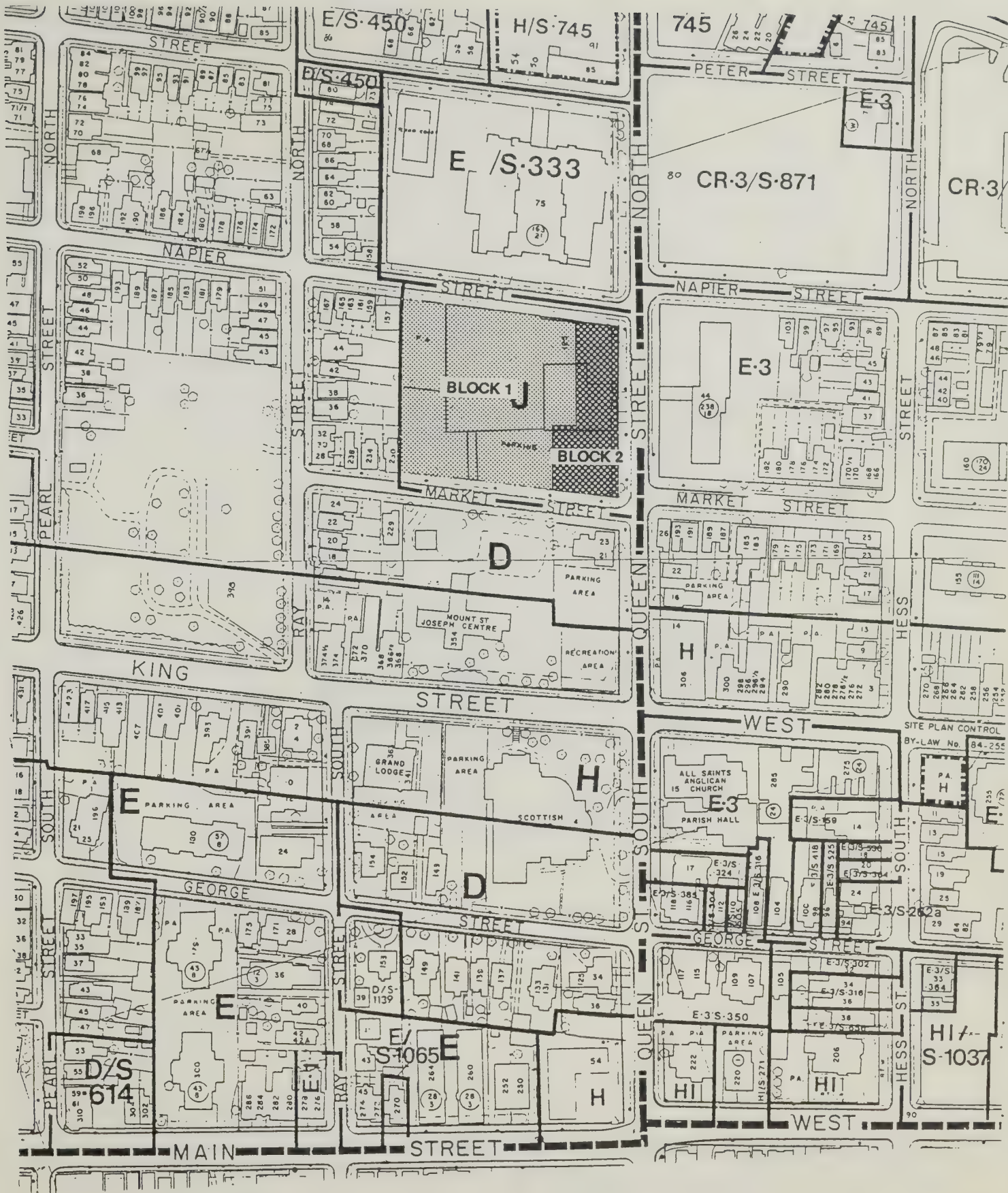


Site of the Application









### Legend

Change in zoning from "J" (Light and Limited Heavy Industry, etc.) District to:



BLOCK 1

"E-3" (High Density Multiple Dwellings) District, modified.

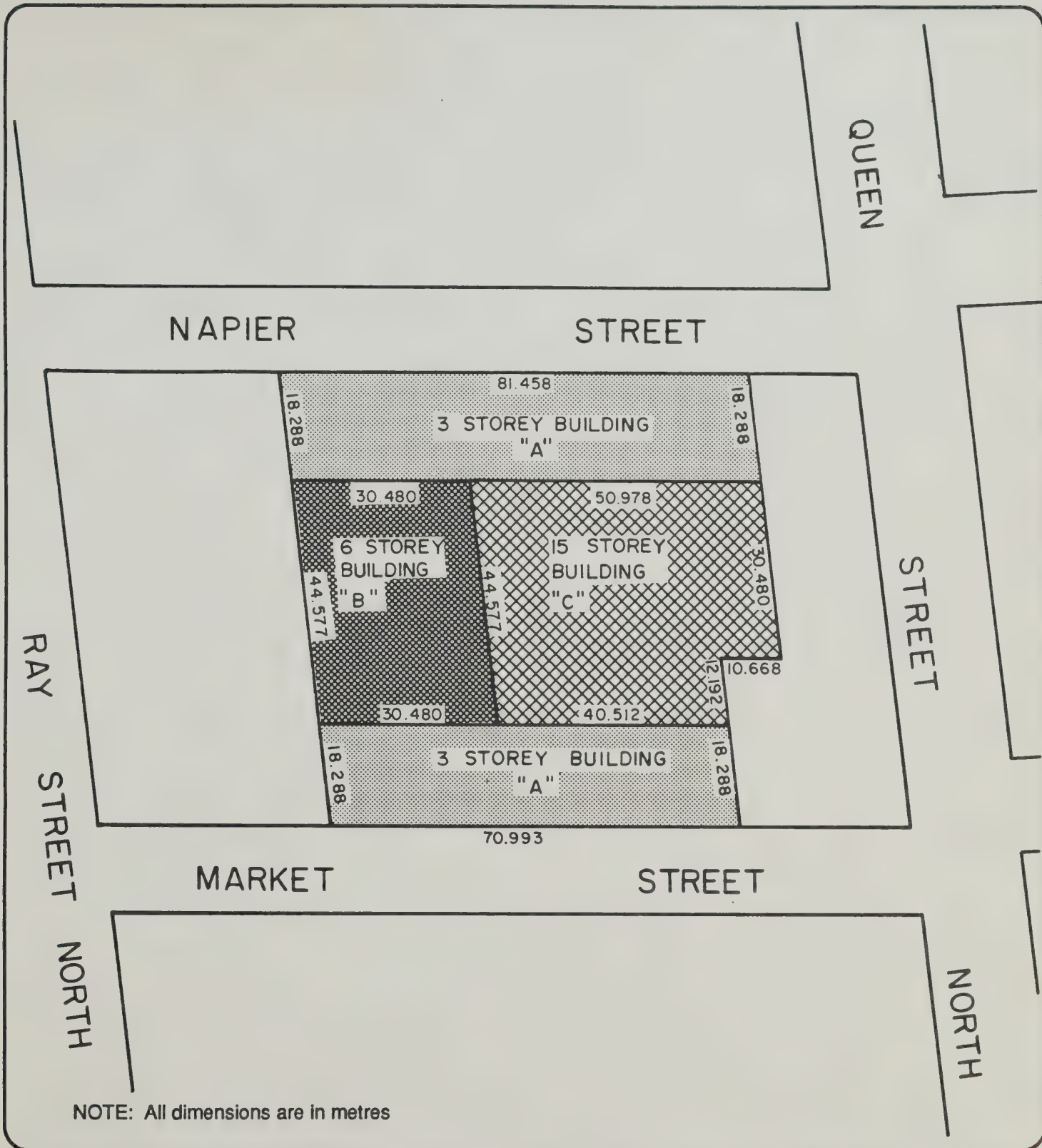


BLOCK 2

"H" (Community Shopping and Commercial, etc.) District, modified.





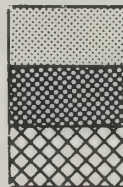


City of Hamilton

## APPENDIX C

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



Envelope "A"

Envelope "B"

Envelope "C"

North



Scale  
NOT TO SCALE

Date  
OCTOBER, 1990

Reference File No.  
ZA-90-21

Drawn By  
T.A.





CA 40N HBL A05

URBAN/MUNICIPAL

C 51 P4

1990

URBAN MUNICIPAL

NOV 8 1990

GOVERNMENT DOCUMENTS

**PLANNING AND DEVELOPMENT COMMITTEE  
NOVEMBER 7TH 1990**

**CONSENT AGENDA**

**ADOPTION OF THE MINUTES OF THE PLANNING AND DEVELOPMENT  
COMMITTEE:**

- A. Minutes of the Meeting of the Planning and Development Committee held on Wednesday, 1990 October 24th and the Special Meeting held on Tuesday, 1990 October 30th. (to follow)

**CITY TREASURER**

- B. Final Release of Holdback - Delmar Contracting Limited - Corktown Stinson O.N.I.P.

**DIRECTOR OF LOCAL PLANNING**

- C. Extension of Draft Plan Approval for "Battleridge" Subdivision (Regional File No. 25T-76024); Gershome Neighbourhood.
- D. Proposed Plan of Condominium, Wentwood Place Properties Inc., owner, lands located at the north-west corner of Upper Wentworth Street and Stone Church Road East; Crerar Neighbourhood.

**BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATIONS**

- E. 41 Rymal Road West
- F. 1102 Upper James Street



CITY OF HAMILTON  
- RECOMMENDATION -

B.

**DATE:** 1990 October 19

**REPORT TO:** Mrs. Susan Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. E. C. Matthews  
Treasurer

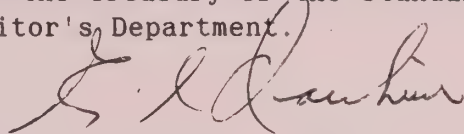
**SUBJECT:** FINAL RELEASE OF HOLDBACK

OCT 22 1990

**RECOMMENDATION:**

That total holdback in the amount of \$20,386.00 be released to Delmar Contracting Ltd. for the completion of the contract, P.O. 31784, for Corktown Stinson O.N.I.P., pending the receipt by the Treasury of the Standard Release Forms from the contractor and City Solicitor's Department.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**



Contractor is entitled to release of holdback on the 46th day after total completion.

**BACKGROUND:**

The contract was approved by City Council May 10, 1988 in the amount \$210,860.00 and was totally performed as of August 17, 1990 for a final cost of \$203,860.00. The 45 day lien period expired and I am recommending release of the holdback at this time pending receipt by Treasury of the necessary release forms from the contractor and City Solicitors.





**FOR ACTION**

C.

**TO:** SUSAN K. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

**DATE:**  
**COMM FILE:**  
**DEPT FILE:**

October 22, 1990

SA-76-16  
25T-76024

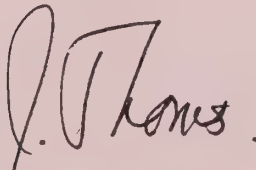
**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Extension of Draft Approval for "Battleridge" Subdivision.

**RECOMMENDATION:**

That the Region be requested to grant a one year extension to the draft approval for "Battleridge" Subdivision (Regional File No. 25T-76024).



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A. L. Georgieff, M.C.I.P.  
Director - Local Planning

**BACKGROUND:**

**Owner:**

Sunshine Homes and Di Cenzo Construction Co. Ltd.

**HISTORY:**

**Battleridge Subdivision - Gershome Neighbourhood:**

Draft approved August 29, 1980, for 77 lots for single-family dwellings, 31 lots for semi-detached dwellings (62 units) and 3 blocks for townhouse dwellings (approximately 149 units).

Phase 1 registered in 1983 for 51 lots for single-family dwellings.

Phase 2 (under separate file as part of a previous townhouse block) registered in 1984 for 18 lots for single-family dwellings.

Extended in 1983, 1984, 1985, 1986, 1987, 1988 and 1989.

Present lapsing date November 29, 1990.

Requesting a further extension for an unspecified period on the basis that the developer is currently negotiating with adjacent owners to assemble lands for roadways and is addressing the concerns of the Ministry of Transportation and the Conservation Authority.

### **CONCLUSIONS:**

The City of Hamilton originally recommended approval of the aforementioned draft plan subject to certain conditions which were subsequently included in the conditions of approval established by Regional Council.

The conditions of approval are still appropriate and no request has been made to revise the plan or the conditions, therefore, the request should be supported on the basis of the usual extension of one year.

CMD/II  
P&DReport  
SA-76-16



PART OF LOTS 27 & 28 - CONCESSION 4 In The City of Hamilton

Location Plan For

# BATTLERIDGE SUBDIVISION

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



PROPOSED SUBDIVISION

North



Scale  
1" = 800'

Date  
Aug. 1985

Reference File No.  
25T-76024

Drawing No.  
85-H-118





## FOR ACTION

D.

**TO:** SUSAN K. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
COMMITTEE

**DATE:**  
**COMM FILE:**  
**DEPT FILE:**

October 24, 1990

25CDM-90009

**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Proposed Plan of Condominium.

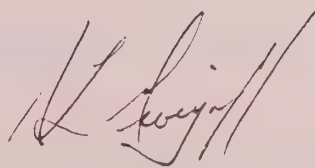
**RECOMMENDATION:**

That approval be given to application 25CDM-90009, Wentwood Place Properties Inc., owner, to establish a draft plan of condominium located at the north side of Stone Church Road East, west of Upper Wentworth Street, subject to the following:

- (1) That this approval apply to the plan prepared by J. D. Barnes Limited, dated June 19, 1990, showing 67 townhouse units.



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A. L. Georgieff, M.C.I.P.  
Director - Local Planning

**FINANCIAL IMPLICATIONS:**

N/A.

**Owner:** Wentwood Place Properties Inc., Willowdale, Ontario

**Surveyor:** J. D. Barnes Limited, Hamilton, Ontario

**Location:**

The lands, comprising 1.8199 ha., are located at the north side of Stone Church Road East, west of Upper Wentworth Street in the Crerar Neighbourhood, City of Hamilton.

**PROPOSAL:**

The owner proposes to erect 10 townhouse buildings with 67 units as a condominium project which he wishes to develop in two phases.

**EXISTING DEVELOPMENT CONTROLS:**

Hamilton-Wentworth Official Plan - the lands are identified as "Residential and Related Uses" within Policy Areas. The proposal complies.

City of Hamilton Official Plan - the lands are designated "Residential". The proposal complies.

Neighbourhood Plan - the lands are designated for attached housing. The proposal complies.

Zoning - the lands are zoned RT-10 (Townhouse) District. The proposal complies.

Niagara Escarpment - the lands are not within the Development Control Area, therefore, the regulations do not comply.

**COMMENTS FROM CIRCULATION:**

The following agencies have advised that they have no comment or objection toward the proposal:

- Ministry of Transportation
- Ministry of the Environment (not received yet)
- Hamilton Region Conservation Authority
- Ontario Hydro, Union Gas and Bell Canada
- City Building Department
- City Traffic Department

The Regional Department of Engineering has submitted the following comments and recommendations:

**FOR INFORMATION:**

- (1) Public storm and sanitary sewers are available on Stone Church Road East and Upper Wentworth Street to service the proposed development.
- (2) Public watermains are available on Stone Church Road East and Upper Wentworth Street to service the proposed development. In order to form a looped system, due to the large number of units we suggest that water services be installed on the proposed rights-of-ways running north from Stone Church Road and east from Upper Wentworth Street.

RECOMMENDATIONS:

- (1) No conditions are required.

The submitted plan, as prepared by W. D. Buck, O.L.S. and dated June 12, 1990, is satisfactory to this department.

COMMENTS:

- (1) The conformity of the proposal with the Official Plans and the Zoning By-law is noted.
- (2) No commenting agency has objected to the proposed condominium project.
- (3) The owner, on June 30, 1989, received approval of a site plan under Application DA-89-36 for 67 townhouse units with which the condominium proposal conforms.
- (4) The outstanding requirements, if any, from the Ministry of the Environment can be implemented through the conditions of draft approval by the Regional Commissioner of Planning and Development.

JLS/II  
P&DReport  
CDM90009







DRAFT PLAN OF CONDOMINIUM  
SHOWING  
PART OF LOT 11 - CONCESSION 7  
IN THE FORMER  
TOWNSHIP OF BARTON  
NOW IN THE  
CITY OF HAMILTON  
LOCAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
SCALE 1:400

J. D. BARNES LIMITED 1990

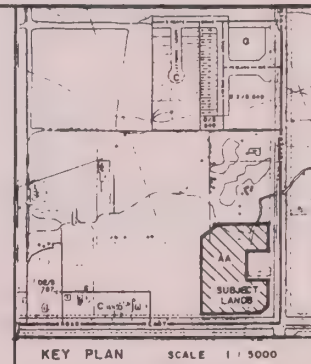
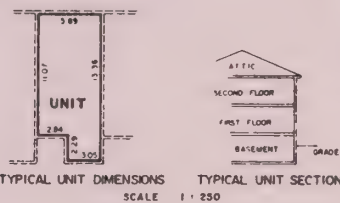
METRIC  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE  
I CERTIFY THAT  
THE BOUNDARIES OF THE LANDS UNDER APPLICATION  
BY THIS PLAN AND THEIR RELATIONSHIP TO THE  
ADJACENT LANDS ARE ACCURATELY AND CORRECTLY  
SHOWN.

DATE 12/90  
W.D. BUCK  
Ontario Land Surveyor

OWNER'S CERTIFICATE  
WE HEREBY AUTHORIZE J. D. BARNES LTD.,  
ONTARIO LAND SURVEYORS, TO SUBMIT THIS PLAN  
FOR APPROVAL, DATED AT WENTWORTH, ONT. THIS  
3rd DAY OF JULY 1990.

WENTWOOD PLACE PROPERTIES INC.



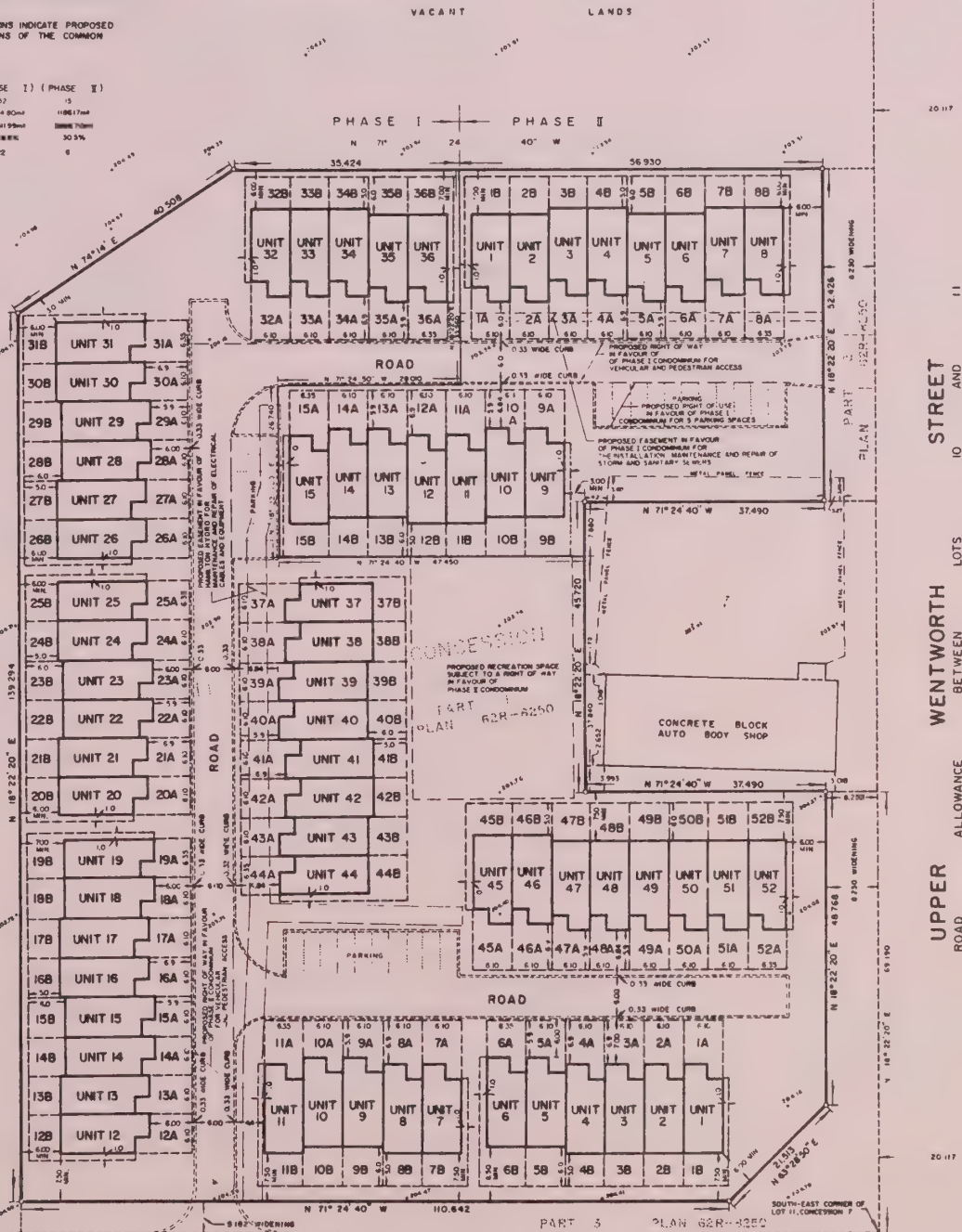
INTENDED USE	DATE OF CONSTRUCTION	TOTAL AREA OF PROPERTY	PARKING PROVIDED
TOTAL 67 RESIDENTIAL UNITS	1987	10,986.69m <sup>2</sup>	28 SPACES

CAUTION  
THIS PLAN IS A DRAFT PLAN ONLY AND IS SUBJECT  
TO REVISION AND AMENDMENT

NOTE: "A" and "B" DESIGNATIONS INDICATE PROPOSED  
EXCLUSIVE USE PORTIONS OF THE COMMON  
ELEMENT

AREA ANALYSIS

	PHASE I (PHASE I)	PHASE II
FLOOR AREA	12	15
TOTAL GROSS FLOOR AREA OF BUILDINGS	4114.90m <sup>2</sup>	11861.7m <sup>2</sup>
TOTAL SITE AREA	14311.99m <sup>2</sup>	28886.70m <sup>2</sup>
PERCENTAGE OF COVERAGE	28.8%	30.5%
PARKING PROVIDED	22	6



NOTE:  
ELEVATIONS ARE GEODETIC AND  
REFERRED TO CITY OF HAMILTON  
BENCH MARK # 19-03.  
ELEVATION: 204.573 m.

STONE CHURCH ROAD EAST  
ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8

PROPOSED RESIDENTIAL

**J.D. BARNES**  
LIMITED  
SURVEYING MAPPING  
LAND INFORMATION SERVICES  
4155 MARSHALL AVENUE  
WILLOWDALE, ONTARIO M2H 3M7  
TELEPHONE (416) 494-6300



# CITY OF HAMILTON

## - RECOMMENDATION -

DATE: 30 October 1990

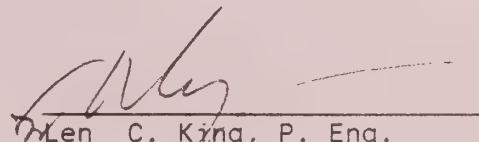
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
41 RYMAL ROAD WEST - Tag Number 81152

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 41 Rymal Road West.

  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "HH/S-1129" and "HH/S-1129a"

PRESENT USE: Single Family Dwelling

PROPOSED USE: Coin operated car wash.

### BRIEF

#### DESCRIPTION:

Field inspection of the premises on October 30, 1990 revealed that the single family dwelling was already demolished without benefit of demolition permit. Please note that a building permit has been approved (coin operated car wash) and is ready to be issued pending approval of the demolition permit. Owner indicates he was not aware of the necessity to make application for two separate permits.

The owner of the property as per the demolition permit application is:

Ashok Kumar

91 Christie Street

HAMILTON, Ontario L9B 1J9

Telephone: 575-7795





# CITY OF HAMILTON

F.

## — RECOMMENDATION —

DATE: 30 October 1990

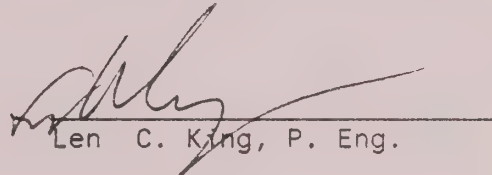
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
1102 UPPER JAMES STREET

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 1102 Upper James Street.

  
Len C. King, P. Eng.

*FINANCIAL/STAFFING/LEGAL IMPLICATIONS:* N/A

### *BACKGROUND:*

PRESENT ZONING: "C" (Urban protected residential)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Red Hill Creek Expressway

BRIEF DESCRIPTION: 1-1/2 storey wood frame, wood siding dwelling in fair to good condition

It is the intention of the owner to demolish the existing single family dwelling for the future Red Hill Expressway roadwork. The property maintenance division has advised that over the past year they have encountered water leakage in the basement and have found that the basement is leaking again. It appears the foundation is deteriorating. The estimate to fix this leak could be \$2,000.00 with no guarantee that the problem would not reoccur with the next rain.

The owner of the property as per the demolition permit application is:

Real Estate Division, Property Department  
71 Main St. West, HAMILTON, Ontario L8N 3T4 Telephone: 546-2738



K.E. AVERY  
CITY CLERK

J.J. SCHATZ  
DEPUTY CITY CLERK



Urban Municipal  
Librarian/Central  
Library

110

THE CORPORATION OF THE CITY OF HAMILTON  
OFFICE OF THE CITY CLERK

TEL: 546-2700  
FAX: 546-2095

CA40NHBLA05  
CSIP4

URBAN/MUNICIPAL

1990

1990 November 12th

URBAN MUNICIPAL

NOV 22 1990

GOVERNMENT DOCUMENTS

Mr. J. Pavelka, Director of Public Works  
Mr. L. King, Building Commissioner  
Mr. S. Ghanem, Director of Economic Development  
Mr. T. Gill, Acting Engineering Commissioner  
Attention: Mr. K. Brenner  
Mr. M. Main, Director of Traffic Services  
Attention: Mr. R. Karl  
Ms. Diana Pasko, Planning Department  
Mr. E.G. Beres, Regional Assessment Commissioner  
Urban Municipal Librarian, Central Library

Attached herewith are the minutes of the Planning and Development Committee meetings held Wednesday, 1990 October 24 and Tuesday, 1990 October 30.

These minutes were approved by the Planning and Development Committee at its meeting held Wednesday, 1990 November 7.

Yours very truly,

Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

Attch's.

- c.c.'s -
- Manager, C.M.H.C.
  - Hamilton & District Chamber of Commerce  
Attention: Kathy Drewitt
  - Mr. W. B. O'Brien, Director of Transportation Services, H.S.R.
  - Mr. Paul E. Shewfelt, Board of Education
  - Mr. Douglas Kelterborn, Board of Education
  - Mr. T. Cupido, Superintendent of Plant,  
Hamilton Separate School Board
  - Mr. M. D. Crowley, Southam Communications Ltd.
  - Mr. D. Miller, Canada Life, London, Ontario
  - Durand Neighbourhood, c/o Ruth Morrison
  - Mr. Rob Hager, Research Statistician, Oshawa Foods





Wednesday, 1990 October 24  
9:30 o'clock a.m.  
Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman F. Lombardo, Chairman  
Alderman D. Drury, Vice-Chairman  
Alderman D. Ross  
Alderman M. Kiss  
Alderman W. McCulloch

Regrets: Mayor Robert M. Morrow - Civic Business

Also present: Alderman T. Murray  
Alderman B. Hinkley  
Mr. L. Sage, Chief Administrative Officer  
Mr. Kelterborn, Board of Education  
Mr. A. Georgieff, Director of Local Planning  
Ms. J. Hickey-Evans, Planning Department  
Mr. W. Wong, Building Department  
Mr. B. Allick, Building Department  
Mr. D. Godley, Planning Department  
Mr. T. Bradley, Purchasing Department  
Mr. G. Robis, Building Department  
Mrs. V. Grupe, Planning Department  
Ms. J. McNeilly, Community Development Department  
Mr. R. Karl, Traffic Department  
Mr. K. Brenner, Regional Engineering  
Mr. D. Vyce, Director of Property  
Mr. L. Farr, Solicitor's Office  
Mr. D. Powers, Solicitor's Office  
Mr. J. Schwarz, Regional Planning Department  
Mr. P. Mallard, Planning Department  
Mr. M. Main, Director of Traffic Services  
Mr. R. Martiniuk, Manager, Architectural Division  
Property Department  
Mr. M. Mascarenhas, General Manager, Municipal  
Non-Profit (Hamilton) Housing Corporation  
Mr. Westaway, Noise Control Officer  
Mr. J. Sakala, Planning Department  
Mrs. Susan K. Reeder, Secretary

1. CONSENT AGENDA

ADOPTION OF THE MINUTES OF THE PLANNING AND DEVELOPMENT  
COMMITTEE

- (A) The Committee approved the minutes of their meetings held Wednesday, 1990 September 19th and Wednesday, 1990 October 3rd as distributed.

(B-N) BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATIONS

Alderman Hinkley requested that the Demolition Permit Applications for properties at 252 and 256 Victoria Avenue South be tabled and that the applicants be asked to appear at the next meeting of the Committee to explain to the Committee why they cut down City trees. Accordingly, this matter was **TABLED** to the next meeting of the Committee (1990 November 7th).

The Committee then **APPROVED** the following:

That the Building Commissioner be authorized to issue demolition permits for the following properties.

- (a) 21 Rymal Road West
- (b) 1471 Upper James Street
- (c) 1451 Upper James Street
- (d) 1459 Upper James Street
- (e) 1465 Upper James Street
- (f) 1124 Upper James Street
- (g) 1123 Upper Wentworth Street
- (h) 1399 Upper James Street
- (i) 1405 Upper James Street
- (j) 1411 Upper James Street
- (k) 1417 Upper James Street

#### MANAGER OF PURCHASING

##### **(O) Supply, Deliver and Install Main Street West Pedestrian Barriers.**

Alderman Kiss discussed the type of barriers that are being placed in there and it was outlined to her that the barriers referred to in this recommendation were not for the purpose of guard rails for cars. Alderman Kiss indicated that she would be raising the need for such barriers at this location with the Transport and Environment Committee.

The Committee then **APPROVED** the following:

- (a) That a purchase order be issued to Crozier Enterprises Ltd., Mississauga, in the amount of \$172,341. to supply, deliver and install Main Street West Pedestrian Barriers, in accordance with specifications issued by the Manager of Purchasing and Vendor's Proposal.
- (b) That a contract be entered into satisfactory to the City Solicitor.

**NOTE:** Lowest acceptable of four (4) proposals received. Funds provided in Main Street West Commercial Improvement Programme 1990 Account #CF5200 4287 05011.

#### DIRECTOR OF COMMUNITY DEVELOPMENT

##### **2. Crown Point East/McAnulty Neighbourhoods, P.R.I.D.E., 1991-1995 Capital Budget.**

The Committee was in receipt of a report from the Director of Community Development dated 1990 October 18, respecting the above-noted matter and the Committee **APPROVED** the following:

- (a) That, Crown Point East/McAnulty Neighbourhoods be the next priority actions for the purpose of implementing the Provincial P.R.I.D.E. Programme; and,
- (b) That, the Director of Community Development be authorized to make application to the Ministry of Municipal Affairs, Community Development Branch for matching funds under the Programme for Renewal, Improvement, Development and Economic Revitalization (P.R.I.D.E.) for Phase I of the Crown Point East/McAnulty Neighbourhoods.

**NOTE:** Authorization to make application to the Ministry of Municipal Affairs for Phase II of the Crown Point East/McAnulty P.R.I.D.E. Programme will be requested in 1991 for 1992.

**DIRECTOR OF PROPERTY****3. Permission to allow the Royal Bank of Canada to assign the Tunnel Easement; assign the Areaway Easement; amend the City's 1972 Abandonment Agreement.**

The Committee was in receipt of a report from the Director of Property dated 1990 October 17, respecting the above-noted matter and the Committee **APPROVED** the following:

- (a) That the Corporation of the City of Hamilton grant its consent to the Royal Bank of Canada to assign its easement in the MacNab Street Truck Tunnel to Canadian Realty Revenue Properties Ltd., in accordance with paragraph four (4) of the 1972 June 13 Agreement (between the City of Hamilton, Robinson Securities Limited, the G. W. Robinson Company Limited, First Phase Civic Square Limited and Yale Properties Limited, subsequently assigned in 1989 May by Robinson's to the Royal Bank). This assignment is subject to the Purchaser of the former Robinson's Department Store site agreeing to assume and obligate itself to the City in respect of all obligations of the Royal Bank of Canada in the aforesaid 1972 Agreement as amended.
- (b) That the City of Hamilton grant consent to the Royal Bank of Canada to assign the areaway easement described in paragraph 3(b) of the 1972 Agreement to Canadian Realty Revenue Properties Ltd.
- (c) That paragraph 8(a) and 8(b) of the 1972 Agreement be deleted effective 1990 September 30.

**NOTE:** Under the original 1972 Abandonment Agreement, Robinson Securities Limited and G. W. Robinson Company Limited agreed to erect on the rear parking lot of this department store, a warehouse building. Robinson's also agreed, that if the said building was not erected by 1984 December 1, it would pay to the City of Hamilton an annual sum in lieu of taxes as if the building were erected. Said payment is currently at \$29,358.08 (1990).

In 1989, Robinson's sold the property to the Royal Bank, who as of 1990 September 30 have demolished the original structure in preparation of its new development on the former Robinson's Department Store and rear parking lot.

Accordingly, the Royal Bank will be refunded the sum of \$7,339.54 for the period of 1990 October 1 to 1990 December 31.

In view of the proposed new development on the site, the Royal Bank is respectfully requesting that the 1972 Agreement be amended by deleting paragraph 8(a) and 8(b) as of 1990 September 30.

- (d) That the Mayor and City Clerk be authorized to execute the agreements to carry out the aforesaid recommendations. Regarding Items (a) and (b) above, it is recommended that the City enter into the agreement attached hereto and marked Appendix "A".

**CITY SOLICITOR****4. Drainage problems, Mr. Harold Tarbutt, 20 Huron Street.**

The Committee was in receipt of a Joint Report from the Building Commissioner and the City Solicitor, respecting the above-noted matter. The Committee discussed this matter and both Alderman Hinkley and Mr. Tarbutt were in attendance at the meeting.

The Committee agreed to **RECEIVE** this information report and agreed that Mr. Allick of the Building Department would meet with Mr. Tarbutt at his home to discuss his problems in more detail.



**REFERRALS FROM CITY COUNCIL****5. Definition of "Family".**

The Committee was in receipt of a memorandum from the City Clerk dated 1990 October 11, advising that the above-noted matter had been referred by City Council at its meeting held Tuesday, 1990 October 9.

Alderman Ross spoke to this matter and referred to the history of the "Family" definition. The Secretary distributed a memorandum from herself outlining the original and present definition of "Family" contained in Zoning By-law 6593 and the proposed amendment to the "Family" definition as passed by By-law 88-230, and subsequently repealed by the City after the Province rendered the City's definition invalid.

Alderman Ross made reference to a resolution recently forwarded from the City of London which was prepared and endorsed by the participants at the Kingston Town and Gown Conference, respecting difficulties being encountered by student housing. The Alderman also recognized Mr. Westaway, the Noise Control Officer and Mr. Westaway spoke briefly to the Committee respecting his work with noise control specifically respecting the McMaster situation. Several members of the West Mountain Community were in attendance and Alderman Ross made reference to difficulties being encountered by them by students who are attending Mohawk College and rooming in the Neighbourhood.

The Committee then **APPROVED** the following:

- (a) That the Province be requested to amend the Planning Act to permit municipalities to establish a definition of "Family" respective to Zoning By-laws that meet their community needs; and,
- (b) That the Noise Control Officer be directed to patrol the West Mountain area surrounding Mohawk College for possible violations of the City's Noise Control By-law.
- (c) That the City of Hamilton endorse the following resolution forwarded from the City of London which was prepared and endorsed by the participants at the Kingston Town and Gown Conference:
  - (i) That the planning, zoning and by-law enforcement staffs of all Ontario college and university municipalities meet to examine technical, definitional and performance standards matters related to the rooming, boarding and lodging house issue;
  - (ii) That the goal of such meeting be the development of suitable by-law mechanisms to regulate rooming, boarding and lodging houses as well as enable them in accordance with the Provincial Policy Statement: Land Use Planning for Housing, Provincial Legislation;
  - (iii) That the Provincial Government retain an independent consultant to review and compare existing municipal by-laws and regulations including licensing pertaining to rooming, boarding and lodging houses, to outline the policy and legal constraints, to develop optional technical approaches of regulation and produce a background report in preparation for the technical municipal meeting and further that such consultant be engaged as soon as possible to expedite resolution of this matter;
  - (iv) That municipal staff promote a full public consultation process within their respective communities using the results of this meeting as a model approach.



- (v) That a more formal organization of Ontario college and university cities be established to create an effective network between municipalities and between university and college municipalities and the Provincial Government relative to university, college and city issues such as student housing, university funding, grants in lieu of taxes, and other relevant matters as they arise. (59.24.4.) (15/23/PC)

6. Rental Housing Protection Act Application DE-90-002, Agostino Ammendolia, owner, for demolition of units at 266-280 King Street East.

The Committee was in receipt of a referral back by Hamilton City Council of a Rental Housing Protection Act Application by Agostino Ammendolia, owner, for demolition of units at 266-280 King Street East.

Mr. Ammendolia was in the meeting and spoke to the Committee about the difficulties he would experience if the conditions were approved, and the unsuitability of meeting the conditions imposed on approval of his demolition by staff.

The Committee then discussed this matter and **APPROVED** the following unconditional approval:

That approval be given to Rental Housing Protection Act Application DE-90-002, Agostino Ammendolia, owner, for demolition of units at 266-280 King Street East.

ALDERMAN D. DRURY

7. Front Yard Parking.

The Committee was in receipt of a memorandum from Alderman Drury, respecting difficulties which he views respecting the City's policy on Front Yard Parking.

The Committee discussed this matter at some length and agreed that they were not in favour of a moratorium on applications for front yard parking, but did agree to (TABLE) Alderman Drury's report and request that the Transport and Environment Committee direct a staff report from the Traffic Department addressing any possible difficulties which are being encountered as a result of the City's front yard parking policy, specifically as it may refer to the loss of on-street parking. Accordingly, this recommendation will be forwarded to the Transport and Environment Committee for their consideration.

8. Reconversions of Illegal Triplexes, etc. into Single Family or Duplexes, etc.

9. IN CAMERA AGENDA.

The Committee agreed to TABLE the above Item 8 and Item 9 of their Agenda for a Special meeting of the Planning and Development Committee to be held on Tuesday, 1990 October 30th.

ZONING APPLICATIONS

10. Zoning Application 90-42, J. Majstorovich, owner, for an amendment to the Official Plan and a further modification to the established "JJ" District regulations for property at 2289 Barton Street East; Nashdale Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 15, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

293 notices sent      9 in favour      0 opposed

Mr. Majstorovich, owner, for the property at 2289 Barton Street East was in attendance at the meeting.

Following some discussion with him the Committee agreed to **TABLE** this Zoning Application in order that the Ward Aldermen and staff have an opportunity to clarify with Mr. Majstorovich exactly what the staff recommendation would mean to his operation as he appeared to be somewhat confused by the request of his application and the recommendation of staff for the uses they would recommend.

11. **Zoning Application 90-54, A. J. Beattie, prospective owner, for an amendment to the Official Plan and a modification to the established "M-12" and "M-15" District regulations for property at 1280 Rymal Road East; Hannon West Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 4, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

45 notices sent      6 in favour    3 opposed

Mr. Clyde Halford, Solicitor for the owner, was in attendance along with the owner who spoke to the Committee on his request to have his application approved.

The staff recommendation recommended **DENIAL** of this application for the following reasons:

- (a) It conflicts with the intent of the Official Plan which designates the lands as "Industrial";
- (b) It conflicts with the intent of the approved Mountain Industrial Area Plan;
- (c) The "M-12" is intended to function as a wholesale district with limited commercial uses. The "M-15" District is primarily an industrial district with further restrictions on commercial uses. The requested commercial use of the entire property is contrary to the applicable "M-12" and "M-15" District provisions and would be more suitably located in an "M-11" (Prestige Industrial) District or an "HH" (Restricted Community Shopping and Commercial) District, both of which may be found in other areas of Rymal Road (chiefly at major intersections);
- (d) There is a limited supply of "M-15" zoned land in the Mountain Industrial Area. Approval of this application for commercial uses would reduce the supply of land available for industrial purposes;
- (e) Approval of the application may encourage other similar applications which, if approved, would undermine the industrial designation of the area; and,
- (f) The proposal is premature pending the completion of the study of the "M" (Prestige Industrial) District regulations currently being undertaken by the Planning and Development Department.

The Committee discussed this matter and agreed to **APPROVE** the application as follows:

- (a) That approval be given to Official Plan Amendment No. 95 to establish a Special Policy Area to permit limited commercial uses, for lands shown as Blocks "1" and "2" on the attached map marked as Appendix "B", and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.

(b) That approval be given to amended Zoning Application 90-54, Allan John Beattie, owner, for a modification to the established "M-12" (Prestige Industrial) District regulations for Block "1", and a change in zoning from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, modified for Block "2", to permit a hardware store and a garden centre, for property located at 1280 Rymal Road East, shown as Blocks "1" and "2" on the attached map marked as Appendix "B", on the following basis:

- (i) That Block "2" be rezoned from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District;
- (ii) That the "M-12" (Prestige Industrial) District regulations, as contained in Section 17D of By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variance as a special provision:

(1.) That notwithstanding Section 17D(1)(b), the following additional Commercial uses shall permitted:

<u>Use Not Prohibited</u>	<u>S.I.C. Number</u>
Hardware Stores	6531
Lawn and Garden Centres	6522

- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as S-1198 and the subject lands on Zoning District Map E-59E be notated S-1198;
- (iv) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map E-59E for presentation to City Council;
- (v) That the Mountain Industrial Area Plan be amended by redesignating the subject lands to "Restricted Commercial"; and,
- (vi) That the proposal will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 95 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-12" (Prestige Industrial) District regulations for Block "1" and a change in zoning from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, modified for Block "2", for property located at 1280 Rymal Road East.

The effect of the By-law is to permit, in addition to the other uses allowed under the "M-12" (Prestige Industrial) District regulations, a hardware store and a garden centre.

12. Zoning Application 89-90, Red-D-Mix Concrete Company, Division of Standard Aggregates, owner, for a change in zoning from "JJ" District modified to "DE-2" District for property municipally known as 1301-1315 Upper Wellington Street; Crerar Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 15, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

30 notices sent      5 in favour      0 opposed

Mr. Donald Logan, Planning Consultant for Red-D-Mix and Mr. Patrick Spree, representative of Red-D-Mix were in attendance at the meeting.



Mr. Wasserman, owner of abutting property was also in attendance and indicated that he was not opposed but was present to ensure that this application did not affect his lands adversely.

The Committee then **APPROVED** the following:

That approval be given to Zoning Application 89-90, Red-D-Mix Concrete Company, Division of Standard Aggregates, owner, for a change in zoning from "JJ" (Restricted Light Industrial) District modified, to "DE-2" - 'H' (Multiple Dwellings - Holding) District modified, to permit a 5-storey, 110 unit apartment building and a 4-storey, 54 unit apartment building, on property located at 1301 to 1315 Upper Wellington Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit the development of the subject lands until municipal sewers are available.

Removal of the holding restriction shall be conditional upon the availability of all such municipal sewers serving the subject lands as the City deems necessary and passage of an amending By-law. City Council may remove the "H" symbol, and thereby give effect to the "DE-2" District provisions as stipulated in this By-law by enactment of an amending By-law once municipal sewers are available.

- (b) That the subject lands be rezoned from "JJ" (Restricted Light Industrial) District to "DE-2" (Multiple Dwellings) District;
- (c) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 10B(1)(vi), a maximum of 164 dwelling units shall be permitted;
  - (ii) That notwithstanding Section 10B(2)(ii), a maximum building height of five storeys shall be permitted;
  - (iii) That notwithstanding Section 10B(6), a minimum landscaped area of 48% of the lot area shall be provided and maintained;
  - (iv) That a minimum 3.0 m wide landscaped strip shall be provided and maintained along the entire southerly and easterly property lines;
  - (v) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire southerly and easterly property lines;
  - (vi) That a minimum of two vehicular accesses to the subject lands shall be provided, at least one of which shall be provided from the future city road allowance adjacent to the northerly property line.
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1199, and that the subject lands on Zoning District Map E-18B be notated S-1199;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18B for presentation to City Council;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



- (g) That prior to the passing of the amending by-law by City Council, the applicant shall:
- (i) Enter into a service agreement with both the City and Hamilton-Wentworth Region; and,
  - (ii) Acquire the adjoining parcel of land to the north known as Block "141" on Draft Plan of Subdivision "Rose Gardens".

**NOTE:** The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until the availability of all such municipal sewers as the City deems necessary to service the proposed development. Removal of the holding restriction shall be conditional upon the availability of municipal sewers, and the passage of an amending By-law to remove the 'H' symbol, thereby giving effect to the "DE-2" District provisions.

The purpose of this By-law is to provide for a change in zoning from "JJ" (Restricted Light Industrial) District modified to "DE-2" (Multiple Dwellings) District modified, for property located at 1301 to 1315 Upper Wellington Street.

The effect of the By-law is to permit a 5-storey, 110 unit apartment building and a 4-storey, 54 unit apartment building on the subject lands.

In addition, the By-law provides for the following variances as special requirements:

- (a) To restrict the maximum height of building(s) to five storeys, whereas 8 storeys is permitted;
- (b) To restrict the number of dwelling units to a maximum of 164 units;
- (c) To require a minimum landscaped area of 48% of the total lot area to be provided and maintained, whereas a minimum of 25% is required;
- (d) To require a minimum 3.0 m wide landscaped strip to be provided and maintained along the entire southerly and easterly property lines;
- (e) To require a visual barrier not less than 1.2 m in height and not more than 2.0 m in height to be provided and maintained along the entire southerly and easterly property lines; and,
- (f) To require a minimum of two vehicular accesses, at least one of which shall be provided from the future city road allowance adjacent to the northerly lot line (Sirente Drive).

13. **Zoning Application 90-44, Sapte Investments Inc., owner, for a modification to the established "H1" District regulations for property at 54 Hess Street South; Durand Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 12, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

1,115 notices sent    26 in favour    13 opposed

The Committee was in receipt of a submission from Mr. B. S. Walman, President, Income Financial Corporation, 231 Main Street West. Mr. Walman was also in attendance and spoke with respect to his ownership of abutting properties. He indicated that he is not opposed to the application if the property will be upgraded. He also added that parking needs to be rectified since the present situation is inadequate.

Mrs. Balasu, a co-owner of the property spoke on their request for approval.

The Committee then discussed this matter and it was indicated that the recommendation should contain a section to ensure that a building permit is obtained by the owners in order to the upgrading work needed on the property.

The Committee then **APPROVED** the following recommendation:

That approval be given to Zoning Application 90-44, Sapte Investments Inc. (M. Moisin, L. Balasu, F. Sandulescu, G. Balasu, T. Bompas, T. Bompas), owner, requesting a modification to the established "HI" (Civic Centre Protected) District regulations, to legalize the established four dwelling units, for property located at 54 Hess Street South, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the "HI" (Civic Centre Protected) District regulations, as contained in Section 15A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 15A(1), not more than four dwelling units shall be permitted within the existing building only;
  - (ii) That notwithstanding Section 18A(1)(a), not less than three parking spaces shall be provided and maintained;
  - (iii) That notwithstanding Section 18A(7), one parking space shall have a length of not less than 5.18 m;
  - (iv) That Section 18A(9) shall not apply only in respect of manoeuvring space;
  - (v) That clauses (b), (c), and (d) of this By-law shall only apply to the building in existence on the date of passage of this By-law;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1200, and the subject lands on Zoning District Map W-4 be notated S-1200;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4 for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That approval of this application be subject to a building permit being obtained for any required renovation work for the proposed conversion.

**NOTE:** The purpose of the By-law is to establish a modification to the established "HI" (Civic Centre Protected) District regulations for property located at 54 Hess Street South.

The effect of the By-law is to legalize the four established dwelling units within the existing building. In addition, the By-law provides the following variances as special provisions:

- (a) A minimum of three parking spaces are to be provided and maintained instead of the required four;
- (b) One parking space shall have a minimum length of 5.18 metres instead of the required 6.0 metres;
- (c) Manoeuvring for the three parking spaces may be provided off-site;

- (d) The above-noted variances in parking apply only to the existing building.
- (e) That approval of the application is conditional upon a building permit being obtained.

14. Zoning Application 90-62, Good Shepherd Non-Profit Homes Inc., owner, for a change and modification in zoning for properties at 31, 33 and 35 Aikman Avenue; Gibson Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 17, respecting the above-noted Zoning Application.

The Committee was also in receipt of the following submissions:

- (a) Mrs. Mary Pothier, 30 Sanford Avenue South
- (b) Sam Dimitrey, 37 Aikman Avenue
- (c) Mrs. B. Lebeau, 24 Aikman Avenue

Report of the circularization was given as follows:

603 notices sent      30 in favour   12 opposed

A representative for the Good Shepherd Non-Profit Homes Inc., owner of the property spoke to the Committee. The architect for the project, Mr. Barrett, displayed drawings of their proposed building. The representative from Good Shepherd also spoke on the functions of his organization and their goals.

Mr. Dimitrey, 37 Aikman Avenue spoke to the Committee and made reference to his letter of submission. He indicated that he is opposed to the application.

Mr. Blake Willis, Wentworth Street spoke and expressed concerns that no parking facilities are available at the building site. He also indicated that he is opposed to the type of operation that would exist in the building.

The owner of property at 39 Aikman Avenue also spoke to the Committee and indicated that he had lived in his home for 4 years. He also added that the tenants in the building being proposed for rezoning were undesirable and that if the new owners could control any difficulty he would have no problem with the establishment by Good Shepherd. He also questioned how the tenants would be supervised and who will be responsible. Brother MacPhee, of the Good Shepherd organization spoke to the people in attendance and the Committee and ensured them that his organization is responsible and would ensure that proper control of the tenants is maintained.

The owner of property at 11 Aikman Avenue also spoke and indicated that he is confident that the Good Shepherd organization would protect the neighbourhood.

The Committee then **APPROVED** the following application:

That approval be given to Zoning Application 90-62, Good Shepherd Non-Profit Homes Inc., owner, for a change in zoning from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified (Block "1"), and for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2"), to permit a 6-storey, 63 unit non-profit apartment building, on property located at 31, 33 and 35 Aikman Avenue, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That the lands described as Block "1" be rezoned from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-Law No. 6593, applicable to the lands described as Blocks "1" and "2", be modified to include the following variances as special requirements:



- (i) That notwithstanding Sections 11.(1), 11.(2) and 11.(5) a multiple dwelling having a maximum height of 6 storeys, containing a maximum of 63 dwelling units and having a maximum gross floor area of 4,460.0m<sup>2</sup> shall be permitted;
  - (ii) That notwithstanding Section 11.(3)(i)(b) a minimum front yard of 0.67m shall be provided and maintained;
  - (iii) That notwithstanding Section 11.(3)(ii)(b) a minimum easterly side yard of 4.36 m and a minimum westerly side yard of 4.43 m shall be provided and maintained;
  - (iv) That notwithstanding Section 18(3)(vi)(cc)(ii) and (iii) a balcony may project into the required rear yard a maximum of 1.6 m; into the easterly side yard a maximum 0.8 m on the ground floor and 0.4 m on the remaining 5 floors; and into the westerly side yard a maximum of 1.0 m;
  - (v) That notwithstanding Section 2.(2)J.(xb)(C) and Section 11.(6) the following landscaped areas shall be provided and maintained on the lot:
    - (1.) Not less than 12.02% of the lot area at grade; and,
    - (2.) Not less than 7.58% of the lot area above grade at the raised terrace level.
  - (vi) That notwithstanding Section 18(3)(vi)(e) the front entrance stairs to the raised terrace level shall be permitted within 0 m of the street line;
  - (vii) That notwithstanding Section 18A Table 1(g) a minimum of 36 parking spaces shall be provided and maintained;
  - (viii) That notwithstanding Section 18A Table 3, 2 a minimum of one 3.7 m x 9.0 m x 4.3 m loading space shall be provided and maintained;
  - (ix) That notwithstanding Sections 18A(9), (10) and (32) the manoeuvring space for the required parking and loading spaces on the surface of the lot may be provided off-site;
  - (x) That notwithstanding Section 18A(24)(b)(i) the alleyway for an access driveway to the required parking area shall be a minimum width of 3.66 m.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1201, and that the subject lands on Zoning District Map E-22 be notated S-1201;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
  - (e) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands to "Medium Density Apartments".
  - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of the By-law is to provide for a change in zoning from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for Block "1" and a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for Block "2", for property located at 31, 33 and 35 Aikman Avenue.



The effect of the By-law is to permit a 6-storey, 63 unit non-profit apartment building on the site.

In addition, the By-law provides for the following variances as special requirements:

- (a) To permit a maximum gross floor area of 4,460.0 m<sup>2</sup>, whereas 3,423.8 m<sup>2</sup> is permitted;
- (b) To permit a minimum front yard of 0.67 m, whereas 6.07 m is required;
- (c) To permit a minimum easterly side yard of 4.36 m and a minimum westerly side yard of 4.43 m, whereas minimum side yards of 8.09 m are required;
- (d) To permit the balconies to further project 0.4 m into the allowed easterly side yard, and a further projection of 1.0 m into the allowed westerly side yard, and a projection of 1.6 m as opposed to the required 1.0 m into the required rear yard;
- (e) To require a minimum of 12.02% of the lot area to be provided and maintained as landscape space at grade, and a minimum of 7.58% of the lot area to be provided and maintained as landscape space above grade at the terrace level, for a total of 19.6% of the lot area whereas a minimum of 25% is required;
- (f) To permit the front entrance stairs to the raised terrace level to be within 0m of the street line of Aikman Avenue, whereas 1.5 m is required;
- (g) To require a minimum of 36 parking spaces, whereas a minimum of 79 parking spaces are required;
- (h) To require a minimum of one 3.7 m x 9.0 m 4.3 m loading space, whereas one 3.7 m x 18.0 m x 4.3 m loading space is required;
- (i) To permit the manoeuvring space for the required parking spaces and loading space on the surface of the lot to be off-site;
- (j) To permit the alleyway for an access driveway to the required surface parking area to be a minimum width of 3.66 m, whereas a minimum width of 5.5 m is required.

15. Zoning Application 90-60, Alfrin Enterprises Corporation, owner, for a modification to the established "C" District regulations for property at 73 Garfield Avenue South; Stipeley Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 5, respecting the above-noted amended Zoning Application.

Report of the circularization was given as follows:

336 notices sent      13 in favour      25 opposed

Mr. Frisina, prospective owner for the property, spoke to the Committee and asked for approval of his revised application for 14 dwelling units.

Ms. Pattie Wilson, 84 Fairhold Avenue, spoke to the Committee and indicated that she lives immediately behind the property and uses the alley to enter her backyard parking spot. She is concerned that if this application were approved that due to the inadequate parking on the Garfield Avenue South site, that her entrance into her backyard would be blocked on numerous occasions.

Mr. Millenetti, 78 Fairhold Avenue South spoke and expressed his strong opposition to the application and his concern at the parking impact this development would have if approved.

The owner of property at 80 Dunsmuir spoke in opposition as a new owner in the area.

The owner of property at 71 Garfield Avenue South also spoke in strong opposition to the application and indicated that there is insufficient parking on the site and that also there is ill feeling of the neighbourhood towards Mr. Frisina.

The owner of property at 81 Fairhold Avenue South expressed concerns at the type of people that would come into this type of development and those people's attitude towards the neighbourhood.

The owner of property at 88 Garfield Avenue South spoke strongly in opposition to the application.

The owner of property at 66 Garfield Avenue South also spoke in strong opposition to the application and sited the inadequate parking on the property.

Mr. Frisina, the prospective owner, spoke to the Committee and indicated that if this building is not used, it will continue to worsen in condition and that he wishes to improve the property and the neighbourhood.

The Committee then discussed this matter and agreed to **DENY** the application as follows:

That amended Zoning Application 90-60, Alfrin Enterprises Corporation (D. Frisina), prospective owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to convert the existing building to fourteen dwelling units (condominiums or apartments) for property located at 73 Garfield Avenue South as shown on the attached map marked as Appendix "F", be **DENIED** for the following reason:

It conflicts with the position of City Council, adopted 1990 May 29, to deny the application for conversion of this building to eighteen dwelling units and to deny an amended application for conversion of this building to fourteen units.

16. **Strathcona Neighbourhood - Locke Street Study Area Report Recommendations.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 17, respecting the above-noted matter.

Mrs. Vanessa Grupe of the Planning Department outlined the staff report and Mr. Rolland Karl of the Traffic Department spoke to indicate to the Committee that they are in disagreement with the Planning Department recommendation to eliminate the proposed re-widening for Locke Street. Mr. Karl spoke to the Committee on the reasons that this road widening should be maintained in the future planning of this Street. He indicated that Locke Street is a collector lane with heavy traffic and that it is not a local street as indicated by the Planning Department but a through street for a great deal of traffic.

The owner of property at 364 Main Street West spoke to the Committee and indicated that increasing the road to 4 lanes will increase accidents in the area and that he is opposed to the street widening. He is frustrated that this item is coming up again since they have had numerous neighbourhood meetings and they thought this matter had been resolved.

The owner of properties at 50 and 52 Locke Street South also spoke to the Committee and requested a determination on what the plans will be for Locke Street as he has purchased these properties as an investment.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 17, respecting the above-noted proposed amendments to the Strathcona Neighbourhood Plan.

The Committee was also in receipt from a petition from area residents opposed to the widening of Locke Street.

The Committee discussed this matter at great length and **APPROVED** the following:

That the approved Strathcona Neighbourhood Plan (Map 1 attached herewith as Appendix "G"), be amended to:

- (a) Delete the designated widening of Locke Street South between Main Street and King Street; and,
- (b) Add a special policy in the Plan to require 3.0m front yard setbacks for new development on the west side of Locke Street South between Main Street and King Street, and to prohibit vehicular access from Locke Street South for new development along the west side of Locke Street.

**NOTE:** For the information of the members of City Council, the Planning and Development Committee has also approved the following:

- (a) That the Planning and Development Department be directed to undertake a City Initiative and schedule a Public Meeting to consider amendments to the Zoning By-law for Locke Street South between Main Street and King Street to:
  - (i) Permit the construction of buildings on this section of Locke Street, notwithstanding the existing road allowance width of 33 ft. for this roadway;
  - (ii) Reduce the front yard setback along the west side of Locke Street South to 3.0m; and,
  - (iii) Prohibit vehicular access from Locke Street South for new development along the west side of Locke Street.
- (b) That the Transport and Environment Committee be requested to initiate the improvement of the existing north-south alleyway between Locke Street and Margaret Street, to permit rear parking and access. The disposition of the City-owned lands adjacent to the alleyway should be resolved prior to the alleyway improvements.

17. **Revision of a condition to a proposed Draft Plan of Subdivision - Eaglewood Manor; Eleanor Neighbourhood. (25T-87040).**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 September 28, respecting the above-noted matter and **APPROVED** the following:

That approval be given to amend the draft condition (k) for "Eaglewood Manor", 25T-87040, Registered Plan 62M-622 by deleting Block "22" from condition (k); which now reads as follows:

- (k) That Blocks "17" to "21" inclusive and Blocks "30" and "31" be developed only in conjunction with abutting lands.

**NOTE:** The lands, comprising 1.535 ha, are located on the north side of Rymal Road East and the west side of Upper Gage Avenue in the Eleanor Neighbourhood.



18. Zoning Application 90-59, Slovenian Society of St. Joseph Hamilton, lessee, for a change in zoning from "C" and "L-mr-1" to "DE-3", for the rear part of property at 115 and 125 Centennial Parkway North; Kentley Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 15, respecting the above-noted Zoning Application.

The Committee was also in receipt of a petition from area households on Fairington Crescent, in opposition to the building being located on the east side of the property.

This Zoning Application had been tabled from the previous meeting on 1990 October 3rd, in order that discussion could ensue with the applicants, Aldermen and members of the neighbourhood to reach a possible resolve on the location of the building on the site. It was indicated to the Committee that this meeting had taken place but that no resolve had been reached.

One of the neighbourhood representatives spoke on wanting the building moved to a different location on the site and displayed a diagram of their proposal.

The Committee then discussed this matter and in as much as the applicants do not wish to alter their plans, the Committee **APPROVED** the following:

That approval be given to amended Zoning Application 90-59, Slovenian Society of St. Joseph Hamilton, Lessee, for a change in zoning from "C" (Urban Protected Residential, etc.) District modified, to "DE-3" (Multiple Dwellings) District (Block "1") modified, and from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District modified (Block "2"), to permit a 3-storey, 30 unit non-profit senior citizens apartment building, on property located on the rear part of lands at 115 and 125 Centennial Parkway North, as shown on the attached map marked as Appendix "H", on the following basis:

- (a) That the lands described as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District modified to "DE-3" (Multiple Dwellings) District.
- (b) That the lands described as Block "2" be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District.
- (c) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands described as Blocks "1" and "2", be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 10C(vi) of Zoning By-law No. 6593, a multiple dwelling containing a maximum of 30 dwelling units for the accommodation of elderly persons at least 60 years of age shall be permitted.
  - (ii) That notwithstanding Section 10C(3)(ii)(b) of Zoning By-law No. 6593, a side yard having a depth of not less than 4.5 m shall be provided and maintained along the easterly side lot line within 63 m of the south-easterly corner of the property.
  - (iii) That notwithstanding Section 18A Table (1G), a minimum of 20 parking spaces shall be provided and maintained.
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1202, and that the subject lands on Zoning District Map E-104 be notated S-1202.
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-104 for presentation to City Council.



- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (g) That the Kentley Neighbourhood Plan be amended by redesignating Block "1" from "Civic and Institutional", to "Low Density Apartments" and Block "2" from "Attached Housing" to "Low Density Apartments".

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District modified to "DE-3" (Multiple Dwellings) District modified for Block "1" and a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District modified for Block "2", for property located at the rear part of lands at 115 and 125 Centennial Parkway North.

The effect of the By-law is to permit a 3-storey multiple dwelling containing a maximum of 30 dwelling units for the accommodation of elderly persons of at least 60 years of age.

In addition, the By-law provides for the following variances as special requirements:

- (a) To permit a minimum side yard of 4.5 m for that portion of the building within 63 m of the south-easterly corner of the property.
- (b) To permit a minimum of 20 parking spaces whereas a minimum of 38 parking spaces are required.

19. Site Plan Control Application DA-90-66, City of Hamilton, for a new Traffic Operations Centre at 1375 Upper Ottawa Street; Trenholme Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 18, respecting the above-noted matter.

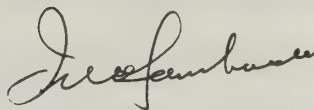
The Committee **APPROVED** the following:

That approval be given to Site Plan Control Application DA-90-66 by the Corporation of the City of Hamilton, owners of lands known as 1375 Upper Ottawa Street for a new Traffic Operations Centre, subject to the following:

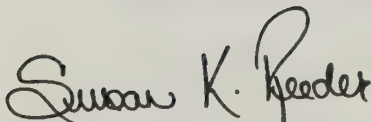
- (a) Modification to the plans in relation to notes, and dimension as marked in red on the plans; and,
- (b) Approval of a revised grading plan by the Commissioner of the Hamilton-Wentworth Engineering Department.

There being no further business, the meeting then adjourned.

Taken as read and approved,



ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE



Susan K. Reeder  
Secretary  
1990 October 24th



Tuesday, 1990 October 30  
7:00 o'clock p.m.  
Room 233, City Hall

The Planning and Development Committee met.

**There were present:** Alderman F. Lombardo, Chairman  
Alderman D. Drury, Vice-Chairman  
Mayor Robert M. Morrow  
Alderman M. Kiss  
Alderman D. Ross  
Alderman H. Merling

**Regrets:** Alderman W. McCulloch

**Also present:** Alderman T. Cooke  
Alderman D. Agostino  
Alderman G. Copps  
Mr. L. Sage, Chief Administrative Officer  
Mr. L. King, Building Commissioner  
Ms. P. Noé Johnson, City Solicitor  
Mr. A. Georgieff, Director of Local Planning  
Mr. D. Vyce, Director of Property  
Mrs. Susan K. Reeder, Secretary

**ALDERMAN DRURY - RECONVERSIONS OF ILLEGAL TRIPLEXES, ETC.  
INTO SINGLE FAMILY OR DUPLEXES, ETC.**

The Committee was in receipt of a memorandum from Alderman Drury dated 1990 September, respecting the above-noted matter.

The Committee approved the following recommendation:

- (a) That the City of Hamilton request the Province of Ontario to amend the appropriate Act or Acts to make provision for the payment of monies by landlords to tenants who are forced to vacate their dwelling unit due to an order from a Municipality, the Ontario Municipal Board or Judicial Body resulting from the landlord's illegal creation of an apartment; and,
- (b) That the payments recognize the costs incurred by the tenants for relocation and temporary accommodation.

**IN CAMERA AGENDA**

The Committee then moved In Camera to discuss matters of a Private and Confidential nature.

**REGULAR SESSION**

The Committee then moved back into regular session and approved the following:

**ADOPTION OF THE IN CAMERA MINUTES OF THE PLANNING AND  
DEVELOPMENT COMMITTEE**

AA. The Committee approved the minutes of their In Camera meeting held on Wednesday, 1990 September 19th.

BB. **CITY SOLICITOR - SETTLEMENT OF THE EXPROPRIATION OF 10-14  
MARKET SQUARE.**

That Leo Barnett's, et al., (claimant) Offer to Settle the expropriation of 10-14 Market Square, for payment to the claimant the sum of \$374,729.88, plus professional fees, to be agreed or assessed, plus interest of \$52.96 per day from 1990 October 15, be accepted.

**NOTE:** Sufficient funds in Account No. Center 00102 - Reserve for Property Purchases.

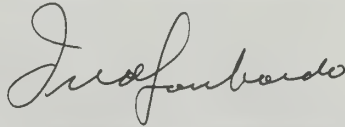




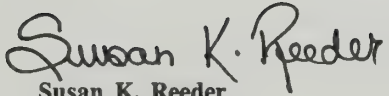
**ADJOURNMENT**

There being no further business, the meeting then adjourned.

Taken as read and approved,



ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE



Susan K. Reeder  
Secretary  
1990 October 30th



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**PLANNING AND DEVELOPMENT COMMITTEE** GOVERNMENT DOCUMENTS  
**NOVEMBER 21st 1990**

**CONSENT AGENDA**

**ADOPTION OF THE MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE:**

- A. Minutes of the meeting of the Planning and Development Committee held on Wednesday, 1990 November 7th.

**BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATION**

- B. 99 Arbour Road.

**DIRECTOR OF LOCAL PLANNING**

- C. Proposed Draft Plan of Condominium, Arm Orn Properties Ltd., owner, to establish a draft plan of condominium for property located on the south side of Harlowe Road west of Pritchard Road; Hannon North Neighbourhood. (25CDM-90006).
- D. By-law to remove part-lot control from part of Holland Avenue and Parcel "B", the one foot reserve, Registered Plan No. 909 - City of Hamilton; Butler Neighbourhood. (R.P.L.C. No. 57)
- E. By-law to remove part-lot control from Lots 1 to 32 inclusive - Registered Plan 62M-661; Butler Neighbourhood. (R.P.L.C. No. 59)

**DIRECTOR OF PUBLIC WORKS**

- F. Increase to Purchase Order - Crown Point West/Stipeley, Programme for Renewal, Improvement, Development and Economic Revitalization (P.R.I.D.E.)





A.

Wednesday, 1990 November 7  
9:30 o'clock a.m.  
Room 233, City Hall

The Planning and Development Committee met.

**There were present:** Alderman F. Lombardo, Chairman  
Alderman D. Drury, Vice-Chairman  
Mayor Robert M. Morrow  
Alderman M. Kiss  
Alderman W. McCulloch  
Alderman D. Ross

**Regrets:** Alderman H. Merling - Vacation

**Also present:** Alderman B. Hinkley  
Alderman T. Murray  
Mr. Kelterborn, Board of Education  
Mr. A. Georgieff, Director of Local Planning  
Mr. M. Watson, Manager, Real Estate Division,  
Property Department  
Mr. K. Brenner, Regional Engineering Department  
Mr. J. Pook, Parks Division, Public Works Department  
Mr. P. Lampman, Deputy Building Commissioner  
Mr. B. Allick, Building Department  
Mr. J. Pacey, Public Works Department  
Mr. B. Chrystian, Manager, Parks Division, Public Works Department  
Mr. G. Robis, Building Department  
Mr. L. Farr, City Solicitor's Office  
Mr. J. Sakala, Planning Department  
Mrs. C. Floroff, Planning Department  
Mr. J. Schwarz, Regional Planning Department  
Mr. R. Karl, Traffic Department  
Mr. D. Godley, Planning Department  
Mrs. Susan K. Reeder, Secretary

**1. CONSENT AGENDA**

**A. Adoption of the minutes of the Planning and Development Committee:**

The Committee approved the minutes of their meetings held Wednesday, 1990 October 24 and Tuesday, 1990 October 30 as distributed.

**CITY TREASURER**

**B. Final Release of Holdback - Delmar Contracting Limited - Corktown Stinson O.N.I.P.**

The Committee was in receipt of a report from the City Treasurer dated 1990 October 19, respecting the above-noted matter and the Committee approved the following:

That total holdback in the amount of \$20,386. be released to Delmar Contracting Ltd. for the completion of the contract, P. O. 31784, for Corktown Stinson O.N.I.P., pending the receipt by the Treasury of the Standard Release Forms from the contractor and City Solicitor's Department.

**DIRECTOR OF LOCAL PLANNING****C. Extension of Draft Plan Approval for "Battleridge" Subdivision (Regional File No. 25T-76024); Gershome Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 22, respecting the above-noted matter and approved the following:

That the Regional Municipality of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Battleridge" Subdivision (Regional File No. 25T-76024) located south of Centennial Parkway, east of Greenhill Avenue in the Gershome Neighbourhood.

**D. Proposed Plan of Condominium, Wentwood Place Properties Inc., owner, lands located at the north-west corner of Upper Wentworth Street and Stone Church Road East; Crerar Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 24, respecting the above-noted matter and approved the following:

That approval be given to Proposed Plan of Condominium Application 25CDM-90009, Wentwood Place Properties Inc., owner, to establish a draft plan of condominium located at the north side of Stone Church Road East, west of Upper Wentworth Street, subject to the following:

That this approval apply to the plan prepared by J. D. Barnes Limited, dated 1990 June 19, showing 67 townhouse units.

**E.,F. BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATIONS**

The Committee was in receipt of reports from the Building Commissioner, respecting Demolition Permit Applications and approved the following:

That the Building Commissioner be authorized to issue demolition permits for the following properties:

- (a) 41 Rymal Road West
- (b) 1102 Upper James Street

**REGULAR AGENDA****BUILDING COMMISSIONER**

- 2. (a)
- & (b) Demolition Permit Applications (Tabled from the last meeting for the owners to attend).

The Committee was in receipt of a memorandum from the Secretary of the Committee dated 1990 October 29, advising the Committee that the Demolition Permit Applications for properties at 252 and 256 Victoria Avenue North had been **TABLED** from the last meeting of the Committee, in order that the Applicants could be invited to appear before the Planning and Development Committee members to speak to them with respect to their removal of City trees on the properties on Victoria Avenue North.

Mr. Moti Patel of Mintland Developments Inc. and his associate were in attendance at the meeting. Alderman Hinkley spoke to the owners of the properties respecting the removal of the 3 City trees. A representative from the Parks Department, advised the Committee that he had done an approximation of the worth of the mature City trees and estimated that their replacement cost would be \$2,800. each. Alderman Hinkley then spoke further to the Committee about the need for development applications to contain conditions respecting City trees. He also advised that a staff report is presently being compiled and the Manager of Parks confirmed to the Committee that this report will be forwarded to the Planning and Development Committee at a future date, respecting consideration of trees in all development applications.

Following this discussion, the Committee then approved the following:

That the Building Commissioner be authorized to issue demolition permits for the following properties:

- (a) 252 Victoria Avenue North
- (b) 256 Victoria Avenue North

3. By-law 83-253, respecting demolition or repair of property.

The Committee was in receipt of a report from the Building Commissioner dated 1990 November 1, respecting the above-noted matter and approved the following:

That the City Solicitor be authorized and directed to amend By-law 83-253, to increase the allowed expenditure from \$1,000. to \$5,000. for the Chief Property Standards Officer to effect clean up and/or repair to any Order that is confirmed or modified as final and binding pursuant to Section 31(19) of The Planning Act.

DIRECTOR OF PROPERTY

4. Proposed Expansion of Stelco Tower at the Plaza Level - Lloyd D. Jackson Square, Phase 1 (2719).

The Committee was in receipt of a report from the Director of Property dated 1990 October 24, respecting the above-noted matter and approved the following:

- (a) That the City, in its capacity as Landlord, grant conditional approval to First Phase Civic Square Limited to expand the office space of Stelco Tower at the Plaza Level, the expansion contemplating the creation of 6,550 square feet of building on the Plaza Level adjacent to space formerly occupied by the Chamber of Commerce Dining Room, subject to First Phase:
  - (i) Complying with the requirements of the Ground Lease including additional ground lease payment, if any;
  - (ii) Complying with all Federal, Provincial, Regional and Municipal laws, by laws, requirements and regulations;
  - (iii) Providing the detailed plans and drawings for approval in accordance with the Ground Lease; and,
  - (iv) Executing any amendments to the Ground Lease, if formal amendments prove necessary.



- (b) That the Lessee, First Phase Civic Square Limited be informed that this approval is preliminary only and is subject to the required plans, drawings and other documentation required by the Ground Lease and Development Agreement being received and approved by Council or the Co-Ordinator of the Lloyd D. Jackson Square as the Review Authority as the case may be, prior to final approval being given and prior to the commencement of any physical alteration to the leased premises and that the Lessee should act accordingly.
- (c) That the City agree to reducing the publicly usable open space at the Plaza Level by the area of the proposed office space expansion.

#### REFERRAL BY CITY COUNCIL

5. Resolution from the City of Etobicoke respecting the revitalization of the Etobicoke Waterfront and the Crombie Commission Report on the future of the Toronto Waterfront.

The Committee was in receipt of a memorandum from the City Clerk dated 1990 November 1, advising that the above-noted resolution was forwarded to the Planning and Development Committee from City Council for consideration. The Committee discussed this matter and agreed to **RECEIVE** this resolution.

#### ZONING APPLICATIONS

6. Zoning Application 90-65, K. Dudzinski, owner, for a modification to the "DE-2" District regulations for property at 1 Prospect Street South; Stipeley Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted Zoning Application. The staff report recommended **DENIAL** of the application for the following reasons:

- (a) It represents an overintensification of land use, in that:
  - (i) The maximum gross floor area permitted is 390.96 m<sup>2</sup>, whereas with the new additional bachelor apartment unit the maximum gross floor area proposed is 877.16 m<sup>2</sup>.
  - (ii) There are no on-site parking or loading spaces for the proposed 12 unit building, whereas a total of 15 parking spaces and one 3.7 m x 9.0 m x 4.3 m loading space are required to be provided and maintained on the lot. Accordingly, approval of the application would increase the demand for on-street parking which the Traffic Department advises is at a "premium" in this area.
- (b) Approval of the application would only further aggravate an existing legal non-conforming situation.
- (c) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the By-law.

Results of the circularization were given as follows:

200 notices sent      5 in favour      5 opposed

Mr. Dudzinski, owner, spoke to the Committee on why his application should be approved. He advised that only 5 of his tenants have cars and referred to a neighbouring property where a similar situation exists.



Ms. Mary Ann Cullen, 1 Prospect Street South, Unit 3, spoke to the Committee and contradicted that each unit has cars belonging to the owners, thereby about 9 cars are reflected by the apartment building. She also referred to the Rent Review Order which the Committee had received from George Prince which requires that a laundry room facility be provided. She indicated that should the application be approved, the common area in the basement would be lost to make room for the bachelor unit. She added that the washing facilities are insufficient now and that the owner can not adequately take care of the property and that adding additional units would only complicate the situation.

Another tenant of the building was in attendance but did not wish to speak but only concurred with the comments made by Ms. Cullen.

The Committee was in receipt of a written submission dated 1990 November 5, from Mr. George Prince, 1 Prospect Street South, Apartment 5 indicating opposition to the application.

The Committee then discussed this application and agreed to **APPROVE** it, conditional that 2 parking spots be provided on the property before a building permit is issued and the following resolution was then **APPROVED**:

That approval be given to Zoning Application 90-65, K. Dudzinski, owner for a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations to permit the addition of a bachelor apartment unit to the existing legal non-conforming 11 unit apartment building for property located at 1 Prospect Street South, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) Notwithstanding Section 10B of By-law No. 6593 a multiple dwelling containing not more than 12 dwelling units, and having a maximum gross floor area of 880 m<sup>2</sup>, shall be permitted within the existing building;
  - (ii) Notwithstanding Section 18A a minimum of two parking spaces shall be provided and maintained on-site.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1204, and that the subject lands on Zoning District Map E-33 be notated S-1204;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-33 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That a Building Permit not be issued until such time as the Director of the Traffic Department is satisfied that two parking spaces can be accommodated on site.

**NOTE:** The purpose of the By-law is to provide for a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations for property located at 1 Prospect Street South.

The effect of the By-law is to permit the addition of a bachelor apartment unit to the existing 11 unit apartment building for a total of 12 dwelling units. In addition, it allows for a maximum gross floor area of 880 m<sup>2</sup> within the existing building.

In addition, a minimum of two parking spaces shall be provided and maintained on-site.

Alderman McCulloch **OPPOSED**.

7. **Zoning Application 90-66, 763225 Ontario Inc., owner, for a modification to the "D" District regulations for property at 158 Mary Street; beasley Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

202 notices sent      12 in favour      0 opposed

Mr. S. Hodgskiss, owner of the property spoke to the Committee with respect to his application and also requested clarification on Section (b) of the staff report which talks about dedication of necessary road widening and entering into an encroachment agreement as per the staff recommendation as follows:

That the amending By-law not be passed by City Council until the applicant:

- (a) Dedicates the necessary road widening to the Hamilton-Wentworth Region to the satisfaction of the Commissioner of Engineering; and,
- (b) Enters into an encroachment agreement with the Hamilton-Wentworth Region to permit the existing structure within the widened limits, to the satisfaction of the Commissioner of Engineering.

The Committee agreed to **DELETE** the above-noted section and **APPROVED** the following amended resolution:

That approval be given to Zoning Application 90-66, 763225 Ontario Inc. (S. Hodgskiss), owner, requesting a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit the conversion of the existing building for a water treatment sales office, for property located at 158 Mary Street, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 10(1), the following additional uses shall be permitted only within the building existing at the date of the passing of the by-law:
    - (1.) **Commercial Use**  
A water treatment sales office
    - (2.) **Accessory Use**  
One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1205, and that the subject lands on Zoning District Map E-4 be notated S-1205;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



**NOTE:** The purpose of the by-law is to provide for a modification to the "D" (Urban Protected Residential -One and Two-Family Dwellings, Townhouses, etc.) District, for property located at 158 Mary Street.

The effect of the by-law is to permit:

- (a) The conversion of the existing building for a water treatment sales office; and,
- (b) One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.

**8. Zoning Application 90-68, F. and G. Seymour, owners, for a change in zoning from "IJ" modified to "E" modified for properties at 186-188 Queen Street North: Central Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted Zoning Application. The staff recommendation recommends **DENIAL** of this application for the following reasons:

- (a) It conflicts with the intent of the Official Plan and the Central Neighbourhood Plan;
- (b) It would be incompatible with existing and future intended development in the surrounding area. In this regard, lands to the north and east are zoned and used for industrial purposes;
- (c) One of the prime goals of the residential care facility by-law is to provide residents of such facilities with an opportunity to live in a environment that closely approximates a family situation in a residential neighbourhood. The proposed 60 bed residential care facility is three times the capacity permitted in an "E" District, and as such, would represent an "Institutional" use. The proposals represents a significant departure from the provisions of the Residential Care Facility By-law and is contrary to the provincial policies which were designed to encourage smaller facilities in residential neighbourhoods; and,
- (d) The proposal is considered premature pending completion of the Neighbourhood Plan Review within the "Hess Block" bounded by Barton, Hess, Cannon and Queen Streets.

Report of the circularization was given as follows:

595 notices sent      24 in favour      4 opposed

Mr. Gary Sabroski, Architect, was in attendance as well as Mr. and Mrs. Seymour, the co-owners of lands being applied for re-zoning. Mrs. Seymour, spoke to the Committee and realizes that the density is of concern to staff and asked the Committee the number of beds that the Committee would approve. She submitted a petition of 105 residents in the area who are in favour of their proposal. She further added that she and her husband felt confident that approval of their application would not be of great concern and would be approved by staff and thus have purchased the property rather than placing a proposed offer. As such, she indicated that denial of their application would prove a financial hardship to them.

Mr. Lloyd Andrews, 181 Queen Street North was in attendance and referred to his letter dated 1990 November 3, respecting his opposition to the density of the proposed building. Mr. Andrews spoke to the Committee regarding his concerns at the limited parking available in the area now and his view that the Neighbourhood should remain Residential and that the proposed building, if approved, should be no taller than 3 levels.

Mr. Sabroski, the Architect for the building spoke to the Committee and indicated that parking would be accommodated in the design of the building. Even at 60 beds the required amount of parking would be provided.

The Committee then discussed the density that they would approve, and agreed to **APPROVE** the application with the condition that the building be no higher than 3 storeys with a maximum of 35 beds.

The following amended recommendation was then approved:

That approval be given to amended Zoning Application 90-68, Frederick and Gwynette Seymour, owners, for a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit a three (3) storey, 35 bed residential care facility for senior citizens, for property located at 186 and 188 Queen Street North, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the subject lands be rezoned from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 11.(1)(iii) of Zoning By-law No. 6593 a residential care facility for the accommodation of not more than 35 elderly residents of at least 60 years of age shall be permitted;
  - (ii) That notwithstanding Section 11.(2) of By-law No. 6593 a maximum building height of three storeys shall be permitted;
- (c) That the amending By-law be added to Section 15B of Zoning By-law No. 6593 as Schedule S-1206, and that the subject lands on Zoning District Map W-3 be notated S-1206;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the Central Neighbourhood Plan be amended by redesignating the subject lands from "Industrial" to "Medium Density Apartments."

**NOTE:** The purpose of the By-law is to provide for a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at 186 and 188 Queen Street North.

The effect of the By-law is to permit a residential care facility for the accommodation of not more than 35 elderly residents of at least 60 years of age.

In addition, the By-law limits the maximum building height to three storeys.

9. Subdivision Application 25T-89029 and Zoning Application 89-89, Falconstone Development Corp., owner, for a change in zoning from "AA" to "C" for land on the west side of Upper Wentworth Street and the north side of Stone Church Road East; Crerar Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted applications and the Committee **APPROVED** the following:



- (a) That approval be given to Subdivision Application 25T-89029, Falconstone Development Corporation, owner, to establish a draft plan of subdivision north of Stone Church Road and west of Upper Wentworth Street, subject to the following conditions:
- (i) That this approval apply to the Plan prepared by Falcone Smith Associates Inc., dated 1989 August 23, showing 40 lots, 14 blocks (Block "41" to "54" inclusive) for development with adjacent lands, three blocks (Block "55" to "57" inclusive) as 0.3 metre reserve and two Blocks "58" and "59" as road widenings.
  - (ii) That the streets and the street widening be dedicated to the City of Hamilton as public highway on the final plan.
  - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes.
  - (vi) That such easements as are required for utility and drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Blocks "55" to "57" inclusive) to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (ix) That Blocks "41" to "54" inclusive be developed only in conjunction with abutting lands.
  - (x) That lots 1-18 not be registered until the construction of services on Crerar Drive to the north of this development has been approved.
  - (xi) That the road allowance along the front of lots 19 and 20 and along the flankage of lot 18 be established to the full width of the road allowance in the Final Plan.
  - (xii) That the road allowance along the flankage of lots 6 and 14 be established to show the full intersection at Crerar Drive and the east west local road in the Final Plan.
  - (xiii) That a minimum centreline radius of 110.0 metres be established along the centreline of Crerar Drive.
  - (xiv) That the owner dedicate sufficient lands to the Region, to establish the property line at 18.29m (60 feet) from the centreline of the original Upper Wentworth Street road allowance, and these lands be shown as a separate block.
  - (xv) That the owner dedicate sufficient lands to the Region, to establish the property line at 15.24M (50 feet) from the centreline of the original Stone Church Road allowance, and these lands be shown as a separate block.

- (xvi) That the cul-de-sac road allowance width must be increased to 20.0 metres.
- (xvii) That prior to the final plan, sewers and watermain have been extended to service this development.
- (xviii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
- (xix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

(b) That the Subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89029, Falconstone Development Corporation), owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

(c) That the Crerar Neighbourhood plan be changed accordingly.

That approval be given to Zoning Application 89-89, Falconstone Development Corporation, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to subdivide the subject land into building lots for single-family detached dwellings, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East, as shown on the attached map marked as Appendix "D" on the following basis.

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law NO. 6593 and Zoning District Map E-18C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East.

The effect of the By-law is to subdivide the subject land into building lots for single-family detached dwellings.

10. Zoning Application 89-123, Fenwood Developments Ltd., owner, for changes in zoning from "C", "E", "G-3" and "H" to "CR-3" for property municipally known as 690 Main Street West; Westdale South Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 31, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

460 notices sent      14 in favour      35 opposed

Mr. Arthur Weisz, Mr. Bob Weisz, Mr. Joseph Banting (Architect), and Mr. Singer (Architect) were in attendance representing Fenwood Developments Ltd., owner of the property. Mr. Weisz spoke on aspects of their project.

The Committee was in receipt of the following letters of submission:

- (a) Petition - area residents.
- (b) Mrs. Beverley J. L. Niven, 33 Paradise Road South.
- (c) John R. Saver, 2 Olmstead Street.

Mrs. Smith, 40 Olmstead, spoke to the Committee in strong opposition to the application.

Mr. Saver, 2 Olmstead, spoke to the Committee and made reference to his submission. He indicated that the drawing shown by Mr. Weisz is not to scale and that the building will shadow his property. He also added that there is a future submission coming forward to the Committee and if the present application and the subsequent application were approved, that these two buildings would effectively close off any sunlight that would come onto the property of the single family homes.

Mr. Niven, 33 Paradise Road South, spoke and referred to his wife's submission. He spoke on the limited parking in the area now and questioned why an environmental study has not been required for this application.

Mr. Jim Van Dermoot, 79 Paradise Road South, disagrees with the staff report that the traffic flow will not be a problem, rather he feels that the traffic flow will heavily impact on the residential area.

Mr. Niven, who previously spoke, questioned staff on any proposals to open Olmstead and staff responded that there was no intent to do that.

The owner of property at 41 Paradise Road South expressed concerns that Olmstead may change to a through street in the future and feels that the area has been victimized by poor planning.

Mrs. Wood, 31 Paradise Road South, spoke to the Committee and indicated that she is a long term resident of the area along with her parents before her, and she added that historical Olmstead was determined that it would never be opened because of the unevenness of the grade.

Mr. Arthur Weisz spoke to the Committee and suggested that Olmstead should be closed completely and sold off to abutting properties and also added that Paradise Road will not be affected by traffic.

The Committee then discussed this application at great length and **APPROVED** the following:

That approval be given to amended Zoning Application 89-123, Fenwood Developments Ltd., owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", to permit development of the subject lands as a twin tower condominium apartment building with 9,000 square feet of commercial floor space, for property located at 690 Main Street West, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District;
- (b) That Block "2" be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District;
- (c) That Block "3" be rezoned from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District;



- (d) That Block "4" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District;
- (e) That the "CR-2" (Commercial-Residential) District regulations, as contained in Section 15B of Zoning By-law No. 6593, applicable to Blocks "1", "2", "3", and "4", be modified to include the following variance as a special provision:

That notwithstanding Section 18(4)(iv), one accessory structure shall be permitted in the required front yard and west side yard;

- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1207, and the subject lands on Zoning District Map W-73 be notated S-1207;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-73 for presentation to City Council; and,
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (i) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of site plans, which include the implementation of a Shadow Casting Analysis to the satisfaction of the Director of Local Planning.

NOTE: The purpose of the By-law is to establish changes in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", for property located at 690 Main Street West.

The effect of the By-law is to permit development of the subject lands for a twin tower condominium apartment building (maximum 18 storeys in height) joined by a one-storey building consisting of 9,000 square feet of commercial floor space. In addition, the By-law provides a variance to permit a tennis court in the required front and west side yards.

Alderman Kiss **OPPOSED**.

11. **Zoning Application 90-21, Patran Holdings Ltd., owner, for a change in zoning from "I" to "E-3" for property municipally known as 125 Napier Street; Strathcona Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 31, respecting the above-noted Zoning Application.

The staff report recommended **DENIAL** of a portion of the application at 125 Napier Street for the following reason:

- (a) Approval of the application is premature pending the disposition of the applicant's remaining industrially zoned lands (fronting on Queen Street North) given the potential for land use conflicts.

Report of the circularization was given as follows:

654 notices sent      27 in favour      33 opposed



Mr. Patran, Herman Turkstra (Solicitor), Ed Fothergill (Planning Consultant), were in attendance to speak to their application. Mr. Turkstra outlined the original plan which was discussed at a neighbourhood meeting and was subsequently discarded due to the overwhelming amount of neighbourhood opposition to the plan. Mr. Turkstra then submitted to the Committee a revised plan as a result of neighbourhood input.

The owner of property at 95 Napier Street, spoke to the Committee and indicated that the property is very neglected now. He expressed concern at the impact that would be felt by parking in the area should the application be approved.

Ms. Fanier, 181 Napier Street, also spoke on her concerns at traffic. She also indicated that Ray Street is a main thoroughfare for vehicular access and stated that she feels Napier should not be closed and that Peter is a very narrow Street and summarized by indicating that she is opposed to the application.

Another owner of property on Napier Street questioned the analysis done on the wind factors on the site and the possible wind tunnel which could be created as a result of the development.

Mr. Bojeski, 23 Queen Street North, spoke in opposition to the application with respect to his concern that the density of the traffic and the limited parking.

Another representative from Napier Street also spoke in opposition to the application.

An owner of property on Napier Street indicated that there presently exists a wind problem and a parking problem now and feels that staff has not adequately looked into these difficulties before recommending approval of this application. She also indicated that if the building were approved, that the dumpster required for the apartment unit would be located on the Ray Street side of the property and thus be a negative impact on the abutting community.

The owner of property at 230 Market Street, spoke in opposition with respect to the parking impact which would be felt.

Mr. Kim, 23 Hester Street North, expressed concerns that it appears to him that people's opinions at the Public meetings of the Planning and Development Committee do not count when the Committee is faced with a presentation and delegation from a large corporation.

Mr. Ron Bander, 181 Napier Street, expressed concerns at the proposed height of the building and indicated that this proposed building should not be compared to Queen Street North's building.

Mr. Turkstra, Solicitor for the applicants, spoke and indicated that the neighbourhood concerns will be met under the Site Plan Control aspects. He also indicated that a neighbourhood meeting could be held at that time to discuss the site plans.

The Committee then discussed this matter at great length and agreed to **APPROVE** a modified "J" for the property at 125 Napier Street, and **APPROVED** the following amended resolution:

That approval be given to a further amended Zoning Application 90-21, Patran Limited Holdings, owner, for a change in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and a modification to the "J" (Light and Limited Heavy Industry, etc.) District (Block "2"), to permit the development of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to eliminate industrial uses on Block "2", for the properties located at 125 Napier Street and 55 Queen Street North, shown as Blocks "1" and "2" on the attached map marked as Appendix "F", on the following basis:

- (a) That Block "1" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "E-3" (High Density Multiple Dwellings) District;

- (b) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 11C(1a), no building or structure or portion thereof shall exceed:
    - (1.) Three storeys in height within area "A" on Appendix "G";
    - (2.) Six storeys in height within area "B" on Appendix "G"; and,
    - (3.) Fifteen storeys in height within area "C" on Appendix "G".
  - (ii) That a minimum 3.0 m wide landscaped strip and a visual barrier not less than 1.2 m and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line.
  - (iii) That in addition to the requirements of Section 18A(1), an additional 15 parking spaces shall be provided and maintained on the lot.
- (c) That the "J" (Light and Limited Heavy Industry, etc.) District regulations, as contained in Section 16 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
- That notwithstanding Section 16.(1), no industrial uses shall be permitted.
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1208, and that the subject lands on Zoning District Map W-12 be notated S-1208;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council;
- (f) That the Strathcona Neighbourhood Plan be amended by redesignating Block "1" from "Medium Density Apartments" to "High Density Apartments".
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of this By-law is to provide for changes in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and a modification to the "J" (Light and Limited Heavy Industry, etc.) District (Block "2"), for the properties located at 125 Napier Street and 55 Queen Street North.

The effect of this By-law is to permit the redevelopment of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to eliminate industrial uses for the lands on Block "2".

In addition, the by-law requires that:

- (a) A minimum 3.0 m wide landscaped strip and 1.2 m to 2.0 m high visual barrier be provided and maintained along the westerly lot line of Block "1"; and,
- (b) An additional fifteen parking spaces be provided and maintained for the multiple dwelling development on Block "1".

There being no further business, the meeting then adjourned.

Taken as read and approved,

**ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder  
Secretary  
1990 November 7**





# CITY OF HAMILTON

B.

## — RECOMMENDATION —

DATE: 12 November 1990

REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
99 Arbour Road

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 99 Arbour Road.

  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "M-13"/M-14" (Prestige Industrial)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Mountain Freeway

BRIEF DESCRIPTION: One storey brick veneer wood frame dwelling in fair condition

It is the intention of the owner to demolish the existing single family dwelling to make room for future Mountain Freeway roadwork.

The owner of the property as per the demolition permit application is:

Real Estate Division, Property Department  
Telephone: 546-2738



**CITY OF HAMILTON**

**RECOMMENDATION**

C.

**DATE:** 1990 November 2  
(25CDM-90006)

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

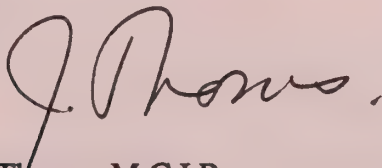
**FROM:** Mr. J. D. Thoms  
Commissioner of Planning and Development

**SUBJECT:** Proposed Draft Plan of Condominium

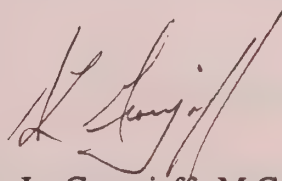
**RECOMMENDATION:**

That approval be given to application 25CDM-90006, Arm-Orn Properties Ltd., owner, to establish a draft plan of condominium located at the south side of Harlowe Road and west of Pritchard Road, subject to the following condition:

That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated July 5, 1990, showing 14 industrial units.



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A. L. Georgieff, M.C.I.P.  
Director - Local Planning

***FINANCIAL/STAFFING/LEGAL IMPLICATIONS:***

N/A

***BACKGROUND:***

**Owner:**

Arm-Orn Properties Limited, Stoney Creek, Ontario

**Surveyor:**

A. J. Clarke and Associates Limited, Hamilton, Ontario

**Location:**

The lands, comprising about 0.666 ha, are located on the south side of Harlowe Road and west side of Pritchard Road in the Hannon North Neighbourhood, City of Hamilton.

**Proposal:**

The owner proposes to erect two buildings with 14 units as an industrial condominium project.

***EXISTING DEVELOPMENT CONTROLS:***

Hamilton-Wentworth Official Plan - the lands are identified as "Industrial Business Parks" within the "Urban Policy Areas". The proposal complies.

City of Hamilton Official Plan - the lands are designated "Industrial". The proposal complies.

Neighbourhood Plan - the lands are designated "Restricted Industrial". The proposal complies.

Zoning - the lands are zoned "M-14" Prestige Industrial Uses. The proposal complies.



Niagara Escarpment - the lands are not within the Development Control Area, therefore regulations do not apply.

**COMMENTS FROM CIRCULATION:**

The following agencies have advised that they have no comment or objection toward the proposal:

- Ministry of Transportation;
- Ontario Hydro, Union Gas and Bell Canada;
- City Traffic Department;
- City Building Department.

The Regional Department of Engineering has submitted the following comments and recommendation:

**"For your information:**

1. A municipal watermain is existing on Harlowe Road and is of sufficient capacity to service this proposed development.
2. That municipal storm and sanitary sewers are available on Harlowe Road and are of sufficient capacity to service this project.

**Recommendations:**

- 1) No conditions are required.

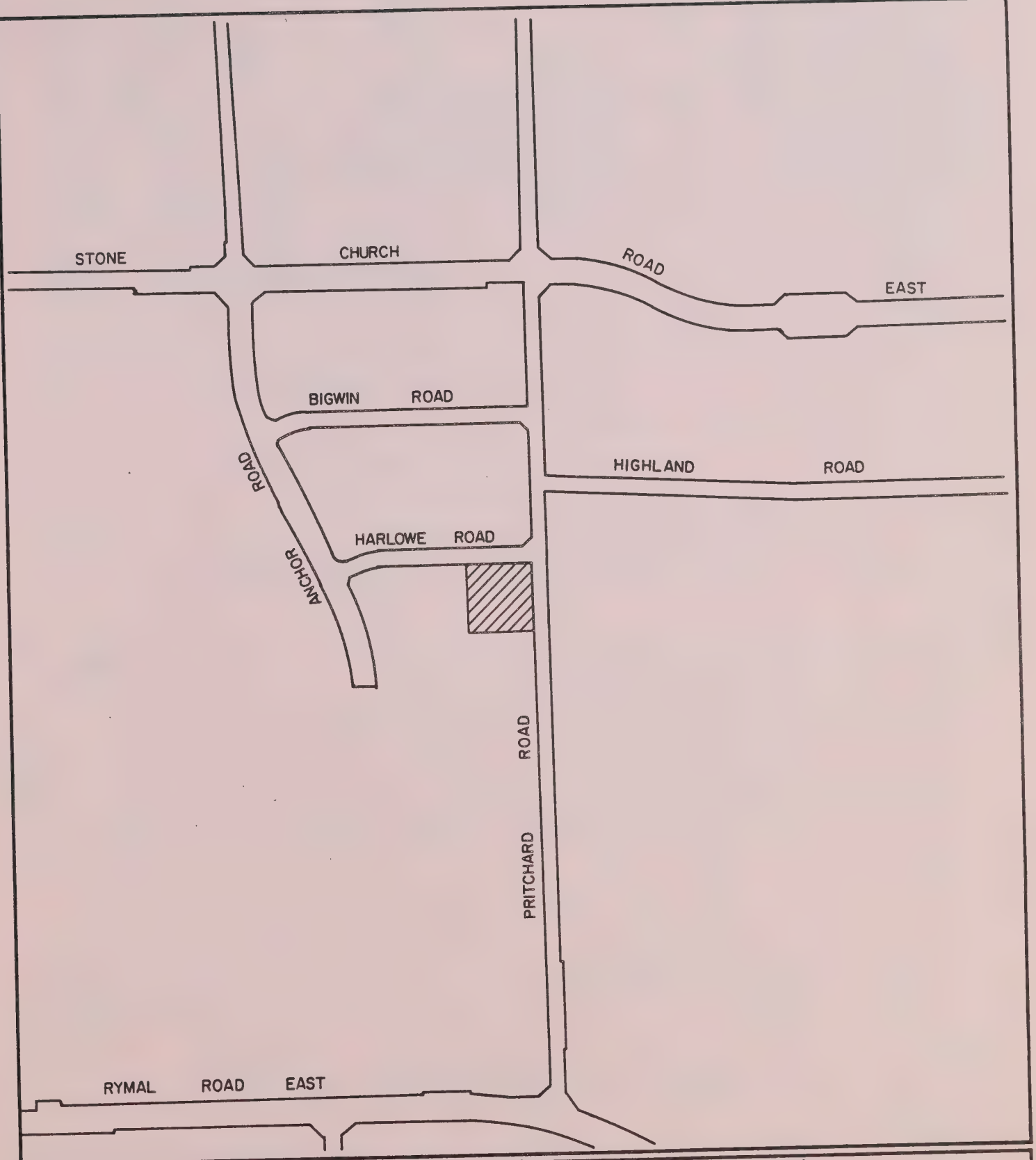
Therefore we find the plan prepared by A. J. Clarke and Associates Limited and dated July 5, 1990, satisfactory.

**COMMENTS:**

1. The conformity of the proposal with the Official Plans and the Zoning By-law is noted.

2. No commenting agency has objected to the proposed condominium project.
3. The owner, on October 23, 1990, received approval of a site plan under Application DA-90-43 with which, as advised by the Building Department, this condominium project conforms.

JLS/jd



Location Plan For

ARM-ORN PLACE

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



PROPOSED CONDOMINIUM

North



Scale  
N. T. S.

Date  
JULY 30, 1990

Reference File No.  
25CDM-90006

Drawing No.

# HARLOWE ROAD

ESTABLISHED ACCORDING TO REGISTERED PLAN NO. M-246

30' EASEMENT

30' EASEMENT

30' EASEMENT

30' EASEMENT

30' EASEMENT

30' EASEMENT

79.50 N 72° 16' 55" W

39.62

6.00

1.20

6.00

1.20

6.00

1.20

6.00

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6.00

UNIT 8

ELECTRICAL ROOM

MANICIPAL RD 60 MARLOWE RD

6.00

1.20

6.00

1.20

6.00

1.20

6.00

UNIT 9

58.00 MAX

UNIT 10

58.00 MAX

UNIT 11

19.50 MAX

UNIT 12

19.50 MAX

UNIT 13

UNIT 14

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# CITY OF HAMILTON

## RECOMMENDATION -

D.

**DATE:** 1990 November 6  
(R.P.L.C. No. 57)

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. J. D. Thoms  
Commissioner of Planning and Development

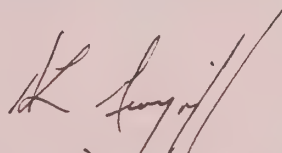
**SUBJECT:** By-law to remove part-lot control from part of Holland Avenue and Parcel "B" the one foot reserve, Registered Plan No. 909 in the City of Hamilton.

### RECOMMENDATION:

1. That the City Solicitor be directed to prepare a by-law to remove part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.
2. That the Region be requested to approve the by-law removing part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A. L. Georgieff, M.C.I.P.  
Director - Local Planning

### FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

### BACKGROUND:

#### Owner:

Adisco Limited, Hamilton, Ontario.

**Agent:**

Agro, Zaffiro, Parente, Orzel and Baker, Barristers and Solicitors, Hamilton, Ontario.

**Surveyor:**

MacKay, MacKay & Peters, Hamilton, Ontario.

**Location:**

The lands are located south of Stone Church Road East and west of Beaverton Drive, in the Butler Neighbourhood, City of Hamilton.

**History:**

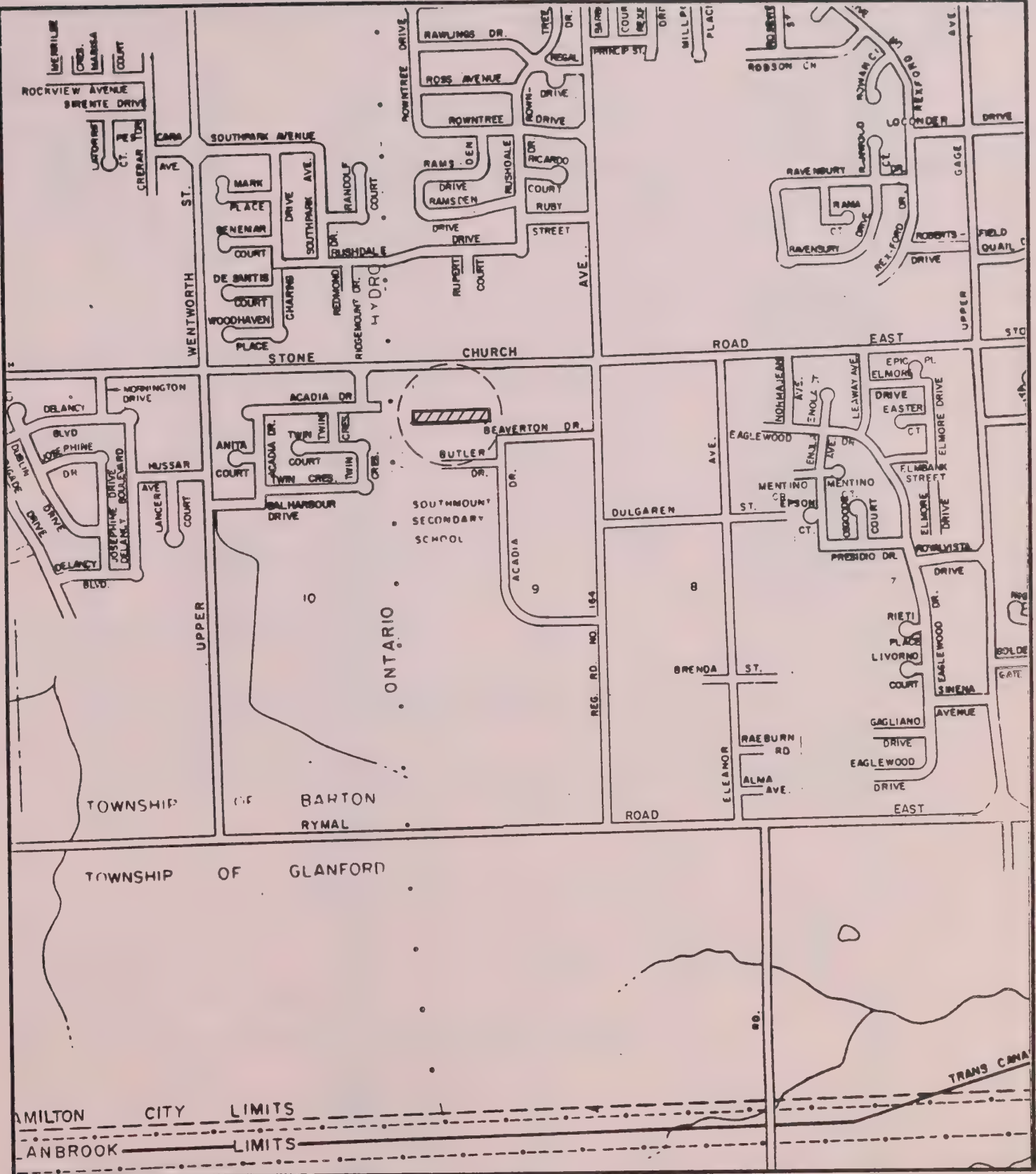
The applicant wishes to merge part of the lands involved in this application with lots to the south, as recommended for approval by Regional Council on November 15, 1989 for Aquino Gardens (File No. SA-88-10, Regional File No. 25T-88014).

The applicant received approval for the request and subsequently By-law No. 90-91 was approved by City Council and the Commissioner of Planning and Development for the Region of Hamilton-Wentworth. The By-law was registered on June 15, 1990.

The solicitor for the applicant has requested that this by-law receive an extension past December of 1990 because of delays in the closing of Holland Avenue and pending agreements with the City Real Estate Department.

On the basis of the aforementioned reason it is recommended that the new by-law does not include a time limitation. The by-law could be repealed when all transfers have been completed.

JLS:dc  
ACTION



### Location Plan For

PLAN OF SURVEY  
OF  
**HOLLAND AVENUE**  
AND  
**PARCEL 'B' (11 RESERVE)**  
HOLLAND SURVEY  
REGISTERED PLAN N<sup>o</sup> 909  
IN THE  
**CITY OF HAMILTON**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



R. P. L. C. N<sup>o</sup> 57

North



Scale

1" = 1000'

Date

NOV. 27, 1989

Reference File No.

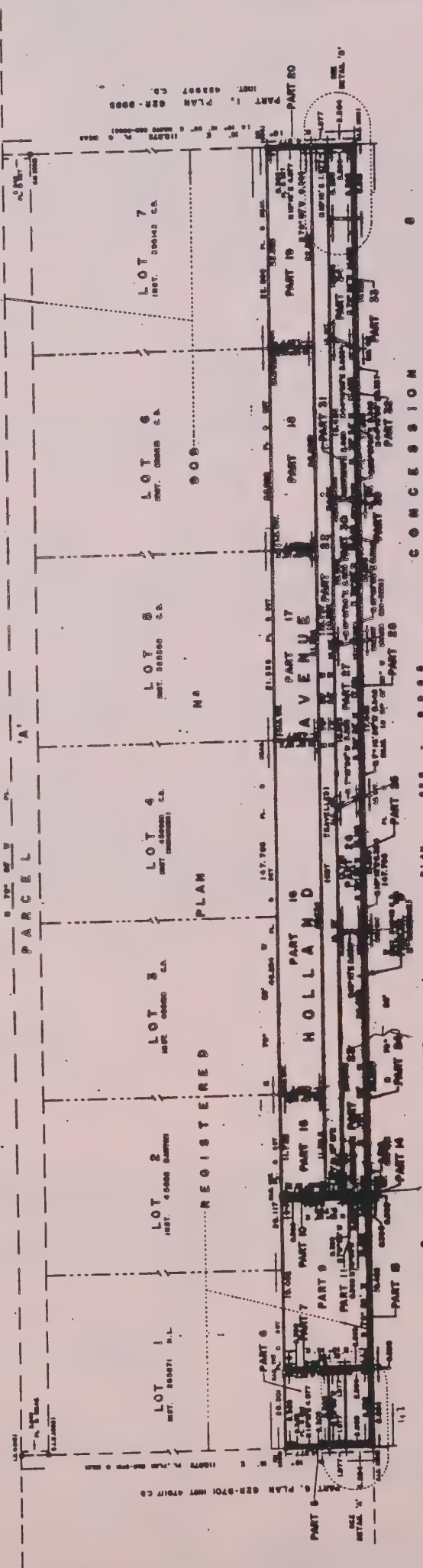
Drawing No.



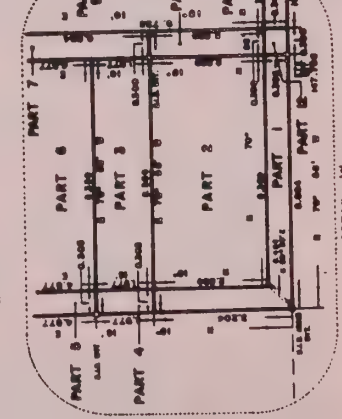
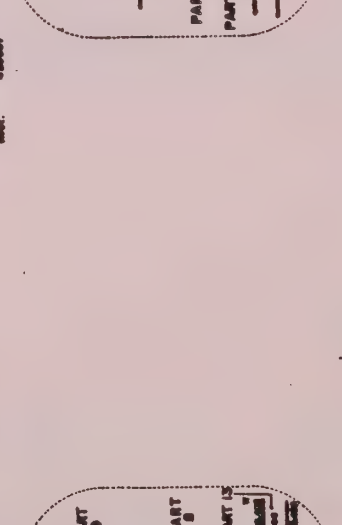
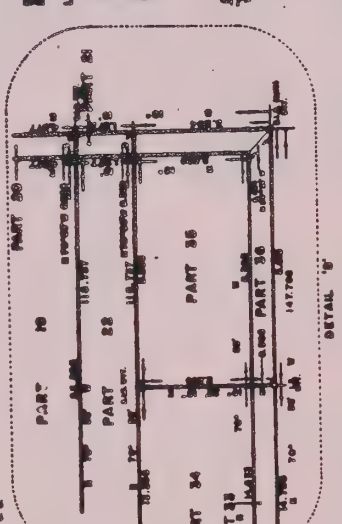
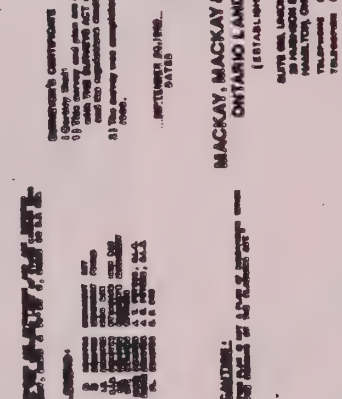
PLAN OF SURVEY  
HOLLAND AVENUE  
PARCEL SUBJ. TO  
REGISTERED PLAN NO. 808  
CITY OF HAMILTON  
HAMILTON - WESTFORTH  
SCALE 1:200

PLAN 62R-10568  
RECEIVED AND REPORTED  
1989.09.22  
D. J. M. M. M.  
Land Registrar for the Territory  
Division of WESTFORTH (P. 62)

STONE ROAD ALLOWANCE BETWEEN CHURCH CONCESSIONS ROAD AND 01 EAST



CONCESSION'S CERTIFICATE  
I, the Surveyor, do hereby certify that the above is a true and correct copy of the original plan as filed in my office, and that the same has been examined and found to be correct.  
Dated: 1989.09.22  
Surveyor General  
Ontario Land Surveyors  
(ESTABLISHED 1908)  
MACKAY, MACKAY & PETERS LIMITED  
ONARIO LAND SURVEYORS  
SUITE 201, 1000 BAYVIEW AVE.  
HAMILTON, ONTARIO L8N 3A1  
TELEPHONE: (416) 596-5775  
TELEFAX: (416) 596-5776





# CITY OF HAMILTON

## - RECOMMENDATION -

E.

**DATE:** 1990 November 6  
R.P.L.C. 59

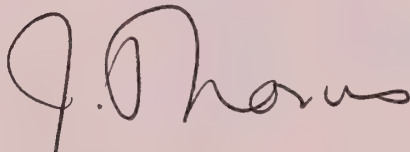
**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. J. D. Thoms  
Commissioner of Planning and Development

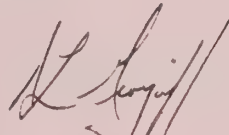
**SUBJECT:** By-law to remove part-lot control from Lots 1 to 32,  
Registered Plan 62M-661

### RECOMMENDATION:

1. That the City Solicitor be directed to remove a by-law to remove part-lot control from Lots 1 to 32 inclusive of Registered Plan 62M-661.
2. That the Region be requested to approve the by-law removing part-lot control on the above-noted Lots 1 to 32 inclusive of Registered Plan 62M-661.



J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development



A. L. Georgieff, M.C.I.P.  
Director - Local Planning

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:** N/A

### BACKGROUND:

#### Owner:

930831 Ontario Inc., Hamilton, Ontario.

#### Agent:

Agro, Zaffiro, Parente, Orzel and Baker, Hamilton, Ontario.

**Surveyor:**

MacKay, MacKay & Peters, Hamilton, Ontario.

**Location:**

The lands are located south of Stone Church Road East and west of Acadia Drive, in the Butler Neighbourhood, City of Hamilton. The lands are part of Aquino Gardens, a plan of subdivision.

**History:**

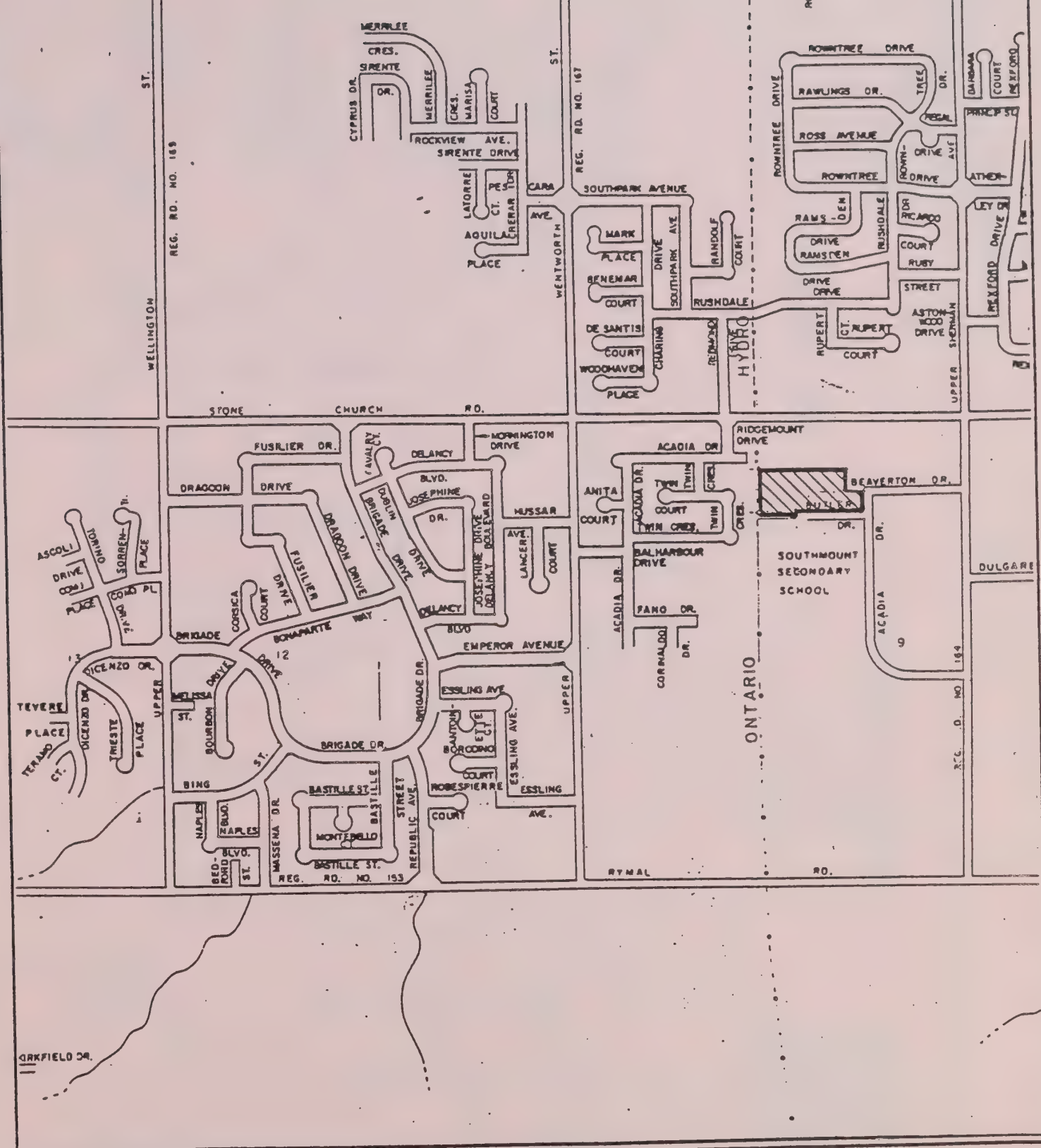
The owner wishes to establish maintenance easements for small size lots (zero lot line) within this plan of subdivision. The maintenance easements would establish a right for future property owners, to use the easements for the maintenance of their properties.

The applicant received approval for the request and subsequently By-law No. 90-234 was approved by City Council and the Commissioner of Planning and Development for the Region of Hamilton-Wentworth.

The solicitor for the applicant has requested that this By-law No. 90-234 receive an extension because it has been impossible to complete the transfer of all lots in this subdivision.

On the basis of the aforementioned reason it is recommended that the new by-law does not include a time limitation. The by-law could be repealed when all transfers have been completed.

JLS:dc  
ACTION



## Location Plan For

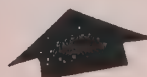
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



R.P.L.C. NO. 59

North



Scale

1" = 1000

Date

JAN. 15, 1990

Reference File No.

Drawing No.



14-661

25T-86014

S-7129-A

CURVE DATA

LINE	STATION	ARC	CHORD	CHORD BEARING	CHORD DISTANCE
1	0+00	11.810	11.810	N 77° 54' 15" E	11.810
2	0+11.810	11.810	11.810	N 77° 54' 15" E	11.810
3	0+23.620	11.810	11.810	N 77° 54' 15" E	11.810
4	0+35.430	11.810	11.810	N 77° 54' 15" E	11.810
5	0+47.240	11.810	11.810	N 77° 54' 15" E	11.810
6	0+59.050	11.810	11.810	N 77° 54' 15" E	11.810
7	0+70.860	11.810	11.810	N 77° 54' 15" E	11.810
8	0+82.670	11.810	11.810	N 77° 54' 15" E	11.810
9	0+94.480	11.810	11.810	N 77° 54' 15" E	11.810
10	0+106.290	11.810	11.810	N 77° 54' 15" E	11.810
11	0+118.100	11.810	11.810	N 77° 54' 15" E	11.810
12	0+129.910	11.810	11.810	N 77° 54' 15" E	11.810
13	0+141.720	11.810	11.810	N 77° 54' 15" E	11.810
14	0+153.530	11.810	11.810	N 77° 54' 15" E	11.810
15	0+165.340	11.810	11.810	N 77° 54' 15" E	11.810
16	0+177.150	11.810	11.810	N 77° 54' 15" E	11.810
17	0+188.960	11.810	11.810	N 77° 54' 15" E	11.810
18	0+200.770	11.810	11.810	N 77° 54' 15" E	11.810
19	0+212.580	11.810	11.810	N 77° 54' 15" E	11.810
20	0+224.390	11.810	11.810	N 77° 54' 15" E	11.810
21	0+236.200	11.810	11.810	N 77° 54' 15" E	11.810
22	0+248.010	11.810	11.810	N 77° 54' 15" E	11.810
23	0+259.820	11.810	11.810	N 77° 54' 15" E	11.810
24	0+271.630	11.810	11.810	N 77° 54' 15" E	11.810
25	0+283.440	11.810	11.810	N 77° 54' 15" E	11.810
26	0+295.250	11.810	11.810	N 77° 54' 15" E	11.810
27	0+307.060	11.810	11.810	N 77° 54' 15" E	11.810
28	0+318.870	11.810	11.810	N 77° 54' 15" E	11.810
29	0+330.680	11.810	11.810	N 77° 54' 15" E	11.810
30	0+342.490	11.810	11.810	N 77° 54' 15" E	11.810
31	0+354.300	11.810	11.810	N 77° 54' 15" E	11.810
32	0+366.110	11.810	11.810	N 77° 54' 15" E	11.810
33	0+377.920	11.810	11.810	N 77° 54' 15" E	11.810
34	0+389.730	11.810	11.810	N 77° 54' 15" E	11.810
35	0+401.540	11.810	11.810	N 77° 54' 15" E	11.810
36	0+413.350	11.810	11.810	N 77° 54' 15" E	11.810
37	0+425.160	11.810	11.810	N 77° 54' 15" E	11.810
38	0+436.970	11.810	11.810	N 77° 54' 15" E	11.810
39	0+448.780	11.810	11.810	N 77° 54' 15" E	11.810
40	0+460.590	11.810	11.810	N 77° 54' 15" E	11.810
41	0+472.400	11.810	11.810	N 77° 54' 15" E	11.810
42	0+484.210	11.810	11.810	N 77° 54' 15" E	11.810
43	0+496.020	11.810	11.810	N 77° 54' 15" E	11.810
44	0+507.830	11.810	11.810	N 77° 54' 15" E	11.810
45	0+519.640	11.810	11.810	N 77° 54' 15" E	11.810
46	0+531.450	11.810	11.810	N 77° 54' 15" E	11.810
47	0+543.260	11.810	11.810	N 77° 54' 15" E	11.810
48	0+555.070	11.810	11.810	N 77° 54' 15" E	11.810
49	0+566.880	11.810	11.810	N 77° 54' 15" E	11.810
50	0+578.690	11.810	11.810	N 77° 54' 15" E	11.810
51	0+590.500	11.810	11.810	N 77° 54' 15" E	11.810
52	0+602.310	11.810	11.810	N 77° 54' 15" E	11.810
53	0+614.120	11.810	11.810	N 77° 54' 15" E	11.810
54	0+625.930	11.810	11.810	N 77° 54' 15" E	11.810
55	0+637.740	11.810	11.810	N 77° 54' 15" E	11.810
56	0+649.550	11.810	11.810	N 77° 54' 15" E	11.810
57	0+661.360	11.810	11.810	N 77° 54' 15" E	11.810
58	0+673.170	11.810	11.810	N 77° 54' 15" E	11.810
59	0+684.980	11.810	11.810	N 77° 54' 15" E	11.810
60	0+696.790	11.810	11.810	N 77° 54' 15" E	11.810
61	0+708.600	11.810	11.810	N 77° 54' 15" E	11.810
62	0+720.410	11.810	11.810	N 77° 54' 15" E	11.810
63	0+732.220	11.810	11.810	N 77° 54' 15" E	11.810
64	0+744.030	11.810	11.810	N 77° 54' 15" E	11.810
65	0+755.840	11.810	11.810	N 77° 54' 15" E	11.810
66	0+767.650	11.810	11.810	N 77° 54' 15" E	11.810
67	0+779.460	11.810	11.810	N 77° 54' 15" E	11.810
68	0+791.270	11.810	11.810	N 77° 54' 15" E	11.810
69	0+803.080	11.810	11.810	N 77° 54' 15" E	11.810
70	0+814.890	11.810	11.810	N 77° 54' 15" E	11.810
71	0+826.700	11.810	11.810	N 77° 54' 15" E	11.810
72	0+838.510	11.810	11.810	N 77° 54' 15" E	11.810
73	0+850.320	11.810	11.810	N 77° 54' 15" E	11.810
74	0+862.130	11.810	11.810	N 77° 54' 15" E	11.810
75	0+873.940	11.810	11.810	N 77° 54' 15" E	11.810
76	0+885.750	11.810	11.810	N 77° 54' 15" E	11.810
77	0+897.560	11.810	11.810	N 77° 54' 15" E	11.810
78	0+909.370	11.810	11.810	N 77° 54' 15" E	11.810
79	0+921.180	11.810	11.810	N 77° 54' 15" E	11.810
80	0+932.990	11.810	11.810	N 77° 54' 15" E	11.810
81	0+944.800	11.810	11.810	N 77° 54' 15" E	11.810
82	0+956.610	11.810	11.810	N 77° 54' 15" E	11.810
83	0+968.420	11.810	11.810	N 77° 54' 15" E	11.810
84	0+980.230	11.810	11.810	N 77° 54' 15" E	11.810
85	0+992.040	11.810	11.810	N 77° 54' 15" E	11.810
86	0+1003.850	11.810	11.810	N 77° 54' 15" E	11.810
87	0+1015.660	11.810	11.810	N 77° 54' 15" E	11.810
88	0+1027.470	11.810	11.810	N 77° 54' 15" E	11.810
89	0+1039.280	11.810	11.810	N 77° 54' 15" E	11.810
90	0+1051.090	11.810	11.810	N 77° 54' 15" E	11.810
91	0+1062.900	11.810	11.810	N 77° 54' 15" E	11.810
92	0+1074.710	11.810	11.810	N 77° 54' 15" E	11.810
93	0+1086.520	11.810	11.810	N 77° 54' 15" E	11.810
94	0+1098.330	11.810	11.810	N 77° 54' 15" E	11.810
95	0+1110.140	11.810	11.810	N 77° 54' 15" E	11.810
96	0+1121.950	11.810	11.810	N 77° 54' 15" E	11.810
97	0+1133.760	11.810	11.810	N 77° 54' 15" E	11.810
98	0+1145.570	11.810	11.810	N 77° 54' 15" E	11.810
99	0+1157.380	11.810	11.810	N 77° 54' 15" E	11.810
100	0+1169.190	11.810	11.810	N 77° 54' 15" E	11.810
101	0+1181.000	11.810	11.810	N 77° 54' 15" E	11.810
102	0+1192.810	11.810	11.810	N 77° 54' 15" E	11.810
103	0+1204.620	11.810	11.810	N 77° 54' 15" E	11.810
104	0+1216.430	11.810	11.810	N 77° 54' 15" E	11.810
105	0+1228.240	11.810	11.810	N 77° 54' 15" E	11.810
106	0+1240.050	11.810	11.810	N 77° 54' 15" E	11.810
107	0+1251.860	11.810	11.810	N 77° 54' 15" E	11.810
108	0+1263.670	11.810	11.810	N 77° 54' 15" E	11.810
109	0+1275.480	11.810	11.810	N 77° 54' 15" E	11.810
110	0+1287.290	11.810	11.810	N 77° 54' 15" E	11.810
111	0+1299.100	11.810	11.810	N 77° 54' 15" E	11.810
112	0+1310.910	11.810	11.810	N 77° 54' 15" E	11.810
113	0+1322.720	11.810	11.810	N 77° 54' 15" E	11.810
114	0+1334.530	11.810	11.810	N 77° 54' 15" E	11.810
115	0+1346.340	11.810	11.810	N 77° 54' 15" E	11.810
116	0+1358.150	11.810	11.810	N 77° 54' 15" E	11.810
117	0+1369.960	11.810	11.810	N 77° 54' 15" E	11.810
118	0+1381.770	11.810	11.810	N 77° 54' 15" E	11.810
119	0+1393.580	11.810	11.810	N 77° 54' 15" E	11.810
120	0+1405.390	11.810	11.810	N 77° 54' 15" E	11.810
121	0+1417.200	11.810	11.810	N 77° 54' 15" E	11.810
122	0+1429.010	11.810	11.810	N 77° 54' 15" E	11.810
123	0+1440.820	11.810	11.810	N 77° 54' 15" E	11.810
124	0+1452.630	11.810	11.810	N 77° 54' 15" E	11.810
125	0+1464.440	11.810	11.810	N 77° 54' 15" E	11.810
126	0+1476.250	11.810	11.810	N 77° 54' 15" E	11.810
127	0+1488.060	11.810	11.810	N 77° 54' 15" E	11.810
128	0+1499.870	11.810	11.810	N 77° 54' 15" E	11.810
129	0+1511.680	11.810	11.810	N 77° 54' 15" E	11.810
130	0+1523.490	11.810	11.810	N 77° 54' 15" E	11.810
131	0+1535.300	11.810	11.810	N 77° 54' 15" E	11.810
132	0+1547.110	11.810	11.810	N 77° 54' 15" E	11.810
133	0+1558.920	11.810	11.810	N 77° 54' 15" E	11.810
134	0+1570.730	11.810	11.810	N 77° 54' 15" E	11.810
135	0+1582.540	11.810	11.810	N 77° 54' 15" E	11.810
136	0+1594.350	11.810	11.810	N 77° 54' 15" E	11.810
137	0+1606.160	11.810	11.810	N 77° 54' 15" E	11.810
138	0+1617.970	11.810	11.810	N 77° 54' 15" E	11.810
139	0+1629.780	11.810	11.810	N 77° 54' 15" E	11.810
140	0+1641.590	11.810	11.810	N 77° 54' 15" E	11.810
141	0+1653.400	11.810	11.810	N 77° 54' 15" E	11.810
142	0+1665.210	11.810	11.810	N 77° 54' 15" E	11.810
143	0+1677.020	11.810	11.810	N 77° 54' 15" E	11.810
144	0+1688.830	11.810	11.810	N 77° 54' 15" E	11.810
145	0+1700.640	11.810	11.810	N 77° 54' 15" E	11.810
146	0+1712.450	11.810	11.810	N 77° 54' 15" E	11.810
147	0+1724.260	11.810	11.810	N 77° 54' 15" E	11.810
148	0+1736.070	11.810	11.810	N 77° 54' 15" E	11.810
149	0+1747.880	11.810	11.810	N 77° 54' 15" E	11.810
150	0+1759.690	11.810	11.810	N 77° 54' 15" E	11.810
151	0+1771.500	11.810	11.810	N 77° 54' 15" E	11.810
152	0+1783.310	11.810	11.810	N 77° 54' 15" E	11.810
153	0+1795.120	11.810	11.810	N 77° 54' 15" E	11.810
154	0+1806.930	11.810	11.810	N 77° 54' 15" E	11.810
155	0+1818.740	11.810	11.810	N 77° 54' 15" E	11.810
156	0+1830.550	11.810	11.810	N 77° 54' 15" E	11.810
157	0+1842.360	11.810	11.810	N 77° 54' 15" E	11.810
158	0+1854.170	11.810	11.810	N 77° 54' 15" E	11.810
159	0+1865.980	11.810	11.		



PLAN OF COMPILED  
OF PART OF  
LOTS 1 TO 15, INCLUSIVE AND  
LOTS 17 TO 32, INCLUSIVE  
AQUINO GARDENS - PHASE ONE  
REGISTERED PLAN No 62 M -  
IN THE  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH  
SCALE 1:300  
J. DAVID PETERS, O.L.S.  
1989

CAUTION: THIS PLAN IS NOT A PLAN OF SUBDIVISION  
WITHIN THE MEANING OF THE PLANNING ACT.

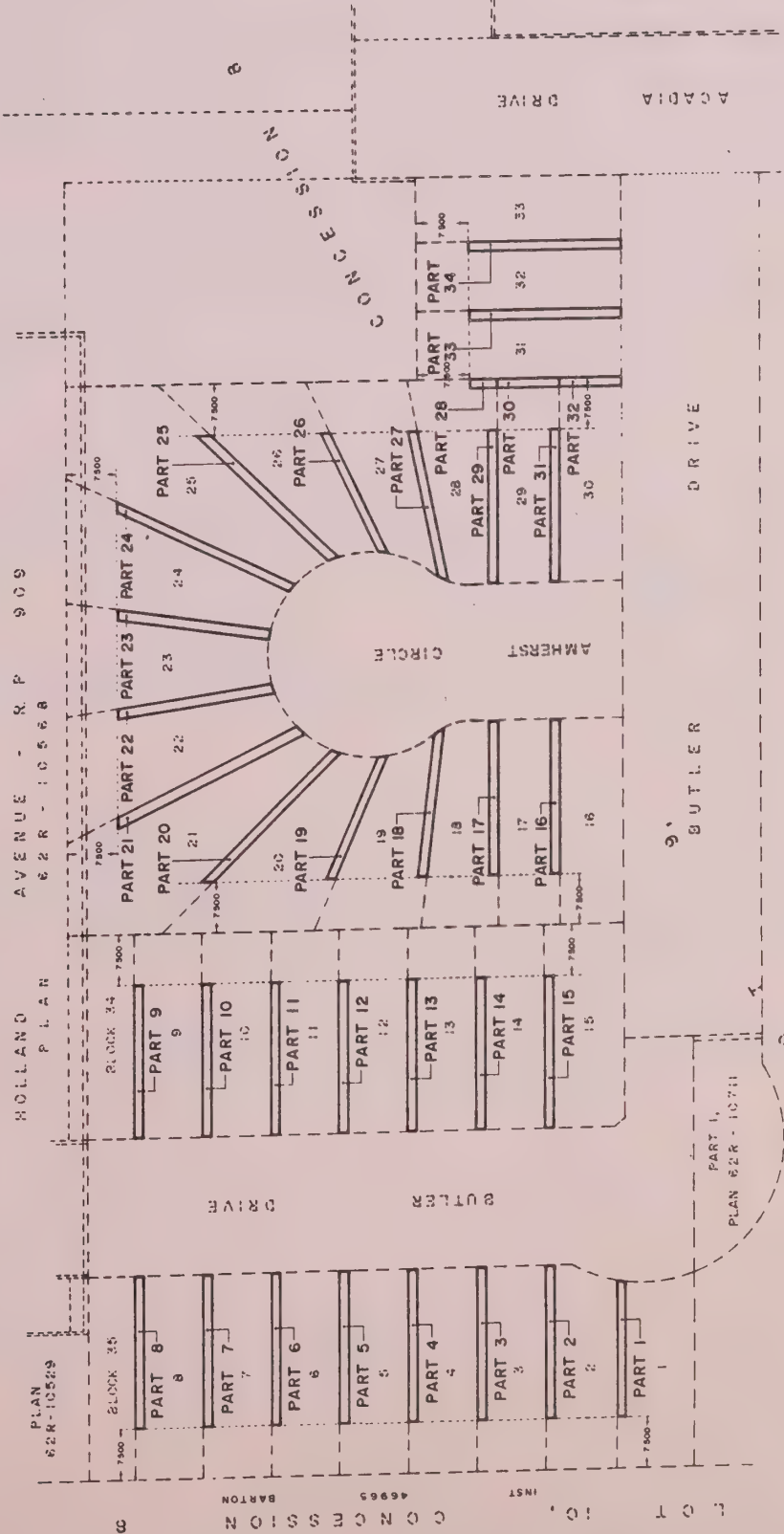
METRIC - DISTANCES SHOWN ON THIS PLAN  
ARE IN METRES AND CAN BE  
CONVERTED TO FEET BY DIVIDING  
BY 0.3048

I require this plan to  
be deposited under  
THE LAND TITLES ACT.

Date

Land Registrar for the LAND TITLES  
Division of WENTWORTH (IN 62)

PLAN 62R -  
RECEIVED AND DEPOSITED



ALL PARTS LIE ENTIRELY WITHIN THE  
LOT SHOWN IN THE SCHEDULE BELOW AND  
HAVE A PERPENDICULAR WIDTH OF 1.2 METRES

PART	LOT	PART	LOT
1	1	18	19
2	2	19	20
3	3	20	21
4	4	21	22
5	5	22	23
6	6	23	24
7	7	24	25
8	8	25	26
9	9	26	27
10	10	27	28
11	11	28	29
12	12	29	30
13	13	30	31
14	14	31	32
15	15	32	33
16	16	33	34
17	17	34	35

THE REAR LIMITS OF PARTS 1 TO 29, INCLUSIVE,  
PARTS 31, 33 & 34 ARE PARALLEL TO THE  
REAR LOT LINES

SURVEYOR'S CERTIFICATE  
I certify that THIS PLAN IS AN ACCURATE  
COMPILATION OF DATA DERIVED FROM  
PLAN 62 M -

*J. David Peters*  
J. DAVID PETERS  
Ontario Land Surveyor

DATE  
HAMILTON - ONTARIO

MACKAY, MACKAY & PETERS LIMITED  
ONTARIO LAND SURVEYORS  
(ESTABLISHED 1906)

SUITE 606, UNION GAS BUILDING  
20 HUGHSON STREET SOUTH  
HAMILTON, ONTARIO L8N 2A1  
TELEPHONE (416) 526-1471  
TELECOPIER (416) 526-0787

PART 1, PLAN 62R - 5690

*Revised*



F.

**CITY OF HAMILTON**  
**- RECOMMENDATION -**

**DATE:** 1990 November 09

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** Mr. J. G. Pavelka, P.Eng.  
Director of Public Works

**SUBJECT:** Crown Point West/Stipeley, Programme for  
Renewal Improvement Development and  
Economic Revitalization (PRIDE) - Increase  
to Purchase Order.

**RECOMMENDATION:**

That, Change Orders Three and Four in the amount of \$11,117.06 for additional work at Belview Park in the Crown Point West/Stipeley Neighbourhood be approved.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Funds are available in the Crown Point West/Stipeley Phase II PRIDE Programme Account # CF 5200 428702005.

**BACKGROUND:**

City Council at its meeting held 1989 August 15, Eighteenth Report of the Planning and Development Committee, approved the recommendation that a purchase order be issued in the amount of \$441,926. to McLean Peister Limited to implement site improvements and landscaping at Belview Park in the Crown Point West/Stipeley Neighbourhood.

Change Orders Three and Four are required to provide additional fencing at railway lands near Belview Park and winterizing of the spray pool area at Lucy Day Park.

c.c. Mr. J. Pavelka, Director  
Public Works Department  
Att: Mr. B. Chrystian, Manager of Parks Division





K.E. AVERY  
CITY CLERK

J.J. SCHATZ  
DEPUTY CITY CLERK



Urban Municipal  
Librarian/Central  
Library

THE CORPORATION OF THE CITY OF HAMILTON  
OFFICE OF THE CITY CLERK

TEL: 546-2700  
FAX: 546-2095

CA40NHBLA05  
CSIP4  
URBAN/MUNICIPAL  
1990

1990 November 26th

URBAN MUNICIPAL

Mr. J. Pavelka, Director of Public Works  
Mr. L. King, Building Commissioner  
Mr. S. Ghanem, Director of Economic Development  
Mr. T. Gill, Acting Engineering Commissioner  
Attention: Mr. K. Brenner  
Mr. M. Main, Director of Traffic Services  
Attention: Mr. R. Karl  
Ms. Diana Pasko, Planning Department  
Mr. E.G. Beres, Regional Assessment Commissioner  
Urban Municipal Librarian, Central Library

GOVERNMENT DOCUMENTS

Attached herewith are the minutes of the Planning and Development Committee meeting held Wednesday, 1990 November 7th.

These minutes were approved by the Planning and Development Committee at its meeting held Wednesday, 1990 November 21st.

Yours very truly,

Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

Attch's.

- c.c.'s - Mr. W. B. O'Brien, Director of Transportation Services, H.S.R.  
- Mr. Paul E. Shewfelt, Board of Education  
- Mr. Douglas Kelterborn, Board of Education



Wednesday, 1990 November 7  
9:30 o'clock a.m.  
Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman F. Lombardo, Chairman  
Alderman D. Drury, Vice-Chairman  
Mayor Robert M. Morrow  
Alderman M. Kiss  
Alderman W. McCulloch  
Alderman D. Ross

Regrets: Alderman H. Merling - Vacation

Also present: Alderman B. Hinkley  
Alderman T. Murray  
Mr. Kelterborn, Board of Education  
Mr. A. Georgieff, Director of Local Planning  
Mr. M. Watson, Manager, Real Estate Division,  
Property Department  
Mr. K. Brenner, Regional Engineering Department  
Mr. J. Pook, Parks Division, Public Works Department  
Mr. P. Lampman, Deputy Building Commissioner  
Mr. B. Allick, Building Department  
Mr. J. Pacey, Public Works Department  
Mr. B. Chrystian, Manager, Parks Division, Public Works Department  
Mr. G. Robis, Building Department  
Mr. L. Farr, City Solicitor's Office  
Mr. J. Sakala, Planning Department  
Mrs. C. Floroff, Planning Department  
Mr. J. Schwarz, Regional Planning Department  
Mr. R. Karl, Traffic Department  
Mr. D. Godley, Planning Department  
Mrs. Susan K. Reeder, Secretary

1. CONSENT AGENDA

A. Adoption of the minutes of the Planning and Development Committee:

The Committee approved the minutes of their meetings held Wednesday, 1990 October 24 and Tuesday, 1990 October 30 as distributed.

CITY TREASURER

B. Final Release of Holdback - Delmar Contracting Limited - Corktown Stinson O.N.I.P.

The Committee was in receipt of a report from the City Treasurer dated 1990 October 19, respecting the above-noted matter and the Committee approved the following:

That total holdback in the amount of \$20,386. be released to Delmar Contracting Ltd. for the completion of the contract, P. O. 31784, for Corktown Stinson O.N.I.P., pending the receipt by the Treasury of the Standard Release Forms from the contractor and City Solicitor's Department.

**DIRECTOR OF LOCAL PLANNING****C. Extension of Draft Plan Approval for "Battleridge" Subdivision (Regional File No. 25T-76024); Gershome Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 22, respecting the above-noted matter and approved the following:

That the Regional Municipality of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Battleridge" Subdivision (Regional File No. 25T-76024) located south of Centennial Parkway, east of Greenhill Avenue in the Gershome Neighbourhood.

**D. Proposed Plan of Condominium, Wentwood Place Properties Inc., owner, lands located at the north-west corner of Upper Wentworth Street and Stone Church Road East; Crerar Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 24, respecting the above-noted matter and approved the following:

That approval be given to Proposed Plan of Condominium Application 25CDM-90009, Wentwood Place Properties Inc., owner, to establish a draft plan of condominium located at the north side of Stone Church Road East, west of Upper Wentworth Street, subject to the following:

That this approval apply to the plan prepared by J. D. Barnes Limited, dated 1990 June 19, showing 67 townhouse units.

**E.,F. BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATIONS**

The Committee was in receipt of reports from the Building Commissioner, respecting Demolition Permit Applications and approved the following:

That the Building Commissioner be authorized to issue demolition permits for the following properties:

- (a) 41 Rymal Road West
- (b) 1102 Upper James Street

**REGULAR AGENDA****BUILDING COMMISSIONER**

2. (a)  
& (b) **Demolition Permit Applications (Tabled from the last meeting for the owners to attend).**

The Committee was in receipt of a memorandum from the Secretary of the Committee dated 1990 October 29, advising the Committee that the Demolition Permit Applications for properties at 252 and 256 Victoria Avenue North had been **TABLED** from the last meeting of the Committee, in order that the Applicants could be invited to appear before the Planning and Development Committee members to speak to them with respect to their removal of City trees on the properties on Victoria Avenue North.



Mr. Moti Patel of Mintland Developments Inc. and his associate were in attendance at the meeting. Alderman Hinkley spoke to the owners of the properties respecting the removal of the 3 City trees. A representative from the Parks Department, advised the Committee that he had done an approximation of the worth of the mature City trees and estimated that their replacement cost would be \$2,800. each. Alderman Hinkley then spoke further to the Committee about the need for development applications to contain conditions respecting City trees. He also advised that a staff report is presently being compiled and the Manager of Parks confirmed to the Committee that this report will be forwarded to the Planning and Development Committee at a future date, respecting consideration of trees in all development applications.

Following this discussion, the Committee then approved the following:

That the Building Commissioner be authorized to issue demolition permits for the following properties:

- (a) 252 Victoria Avenue North
- (b) 256 Victoria Avenue North

3. By-law 83-253, respecting demolition or repair of property.

The Committee was in receipt of a report from the Building Commissioner dated 1990 November 1, respecting the above-noted matter and approved the following:

That the City Solicitor be authorized and directed to amend By-law 83-253, to increase the allowed expenditure from \$1,000. to \$5,000. for the Chief Property Standards Officer to effect clean up and/or repair to any Order that is confirmed or modified as final and binding pursuant to Section 31(19) of The Planning Act.

DIRECTOR OF PROPERTY

4. Proposed Expansion of Stelco Tower at the Plaza Level - Lloyd D. Jackson Square, Phase 1 (2719).

The Committee was in receipt of a report from the Director of Property dated 1990 October 24, respecting the above-noted matter and approved the following:

- (a) That the City, in its capacity as Landlord, grant conditional approval to First Phase Civic Square Limited to expand the office space of Stelco Tower at the Plaza Level, the expansion contemplating the creation of 6,550 square feet of building on the Plaza Level adjacent to space formerly occupied by the Chamber of Commerce Dining Room, subject to First Phase:
  - (i) Complying with the requirements of the Ground Lease including additional ground lease payment, if any;
  - (ii) Complying with all Federal, Provincial, Regional and Municipal laws, by laws, requirements and regulations;
  - (iii) Providing the detailed plans and drawings for approval in accordance with the Ground Lease; and,
  - (iv) Executing any amendments to the Ground Lease, if formal amendments prove necessary.

- (b) That the Lessee, First Phase Civic Square Limited be informed that this approval is preliminary only and is subject to the required plans, drawings and other documentation required by the Ground Lease and Development Agreement being received and approved by Council or the Co-Ordinator of the Lloyd D. Jackson Square as the Review Authority as the case may be, prior to final approval being given and prior to the commencement of any physical alteration to the leased premises and that the Lessee should act accordingly.
- (c) That the City agree to reducing the publicly usable open space at the Plaza Level by the area of the proposed office space expansion.

#### REFERRAL BY CITY COUNCIL

5. Resolution from the City of Etobicoke respecting the revitalization of the Etobicoke Waterfront and the Crombie Commission Report on the future of the Toronto Waterfront.

The Committee was in receipt of a memorandum from the City Clerk dated 1990 November 1, advising that the above-noted resolution was forwarded to the Planning and Development Committee from City Council for consideration. The Committee discussed this matter and agreed to **RECEIVE** this resolution.

#### ZONING APPLICATIONS

6. Zoning Application 90-65, K. Dudzinski, owner, for a modification to the "DE-2" District regulations for property at 1 Prospect Street South; Stipeley Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted Zoning Application. The staff report recommended **DENIAL** of the application for the following reasons:

- (a) It represents an overintensification of land use, in that:
  - (i) The maximum gross floor area permitted is 390.96 m<sup>2</sup>, whereas with the new additional bachelor apartment unit the maximum gross floor area proposed is 877.16 m<sup>2</sup>.
  - (ii) There are no on-site parking or loading spaces for the proposed 12 unit building, whereas a total of 15 parking spaces and one 3.7 m x 9.0 m x 4.3 m loading space are required to be provided and maintained on the lot. Accordingly, approval of the application would increase the demand for on-street parking which the Traffic Department advises is at a "premium" in this area.
- (b) Approval of the application would only further aggravate an existing legal non-conforming situation.
- (c) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the By-law.

Results of the circularization were given as follows:

200 notices sent    5 in favour    5 opposed

Mr. Dudzinski, owner, spoke to the Committee on why his application should be approved. He advised that only 5 of his tenants have cars and referred to a neighbouring property where a similar situation exists.

Ms. Mary Ann Cullen, 1 Prospect Street South, Unit 3, spoke to the Committee and contradicted that each unit has cars belonging to the owners, thereby about 9 cars are reflected by the apartment building. She also referred to the Rent Review Order which the Committee had received from George Prince which requires that a laundry room facility be provided. She indicated that should the application be approved, the common area in the basement would be lost to make room for the bachelor unit. She added that the washing facilities are insufficient now and that the owner can not adequately take care of the property and that adding additional units would only complicate the situation.

Another tenant of the building was in attendance but did not wish to speak but only concurred with the comments made by Ms. Cullen.

The Committee was in receipt of a written submission dated 1990 November 5, from Mr. George Prince, 1 Prospect Street South, Apartment 5 indicating opposition to the application.

The Committee then discussed this application and agreed to **APPROVE** it, conditional that 2 parking spots be provided on the property before a building permit is issued and the following resolution was then **APPROVED**:

That approval be given to Zoning Application 90-65, K. Dudzinski, owner for a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations to permit the addition of a bachelor apartment unit to the existing legal non-conforming 11 unit apartment building for property located at 1 Prospect Street South, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) Notwithstanding Section 10B of By-law No. 6593 a multiple dwelling containing not more than 12 dwelling units, and having a maximum gross floor area of 880 m<sup>2</sup>, shall be permitted within the existing building;
  - (ii) Notwithstanding Section 18A a minimum of two parking spaces shall be provided and maintained on-site.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1204, and that the subject lands on Zoning District Map E-33 be notated S-1204;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-33 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That a Building Permit not be issued until such time as the Director of the Traffic Department is satisfied that two parking spaces can be accommodated on site.

**NOTE:** The purpose of the By-law is to provide for a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations for property located at 1 Prospect Street South.

The effect of the By-law is to permit the addition of a bachelor apartment unit to the existing 11 unit apartment building for a total of 12 dwelling units. In addition, it allows for a maximum gross floor area of 880 m<sup>2</sup> within the existing building.

In addition, a minimum of two parking spaces shall be provided and maintained on-site.



Alderman McCulloch **OPPOSED**.

7. Zoning Application 90-66, 763225 Ontario Inc., owner, for a modification to the "D" District regulations for property at 158 Mary Street; beasley Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

202 notices sent      12 in favour      0 opposed

Mr. S. Hodgskiss, owner of the property spoke to the Committee with respect to his application and also requested clarification on Section (b) of the staff report which talks about dedication of necessary road widening and entering into an encroachment agreement as per the staff recommendation as follows:

That the amending By-law not be passed by City Council until the applicant:

- (a) Dedicates the necessary road widening to the Hamilton-Wentworth Region to the satisfaction of the Commissioner of Engineering; and,
- (b) Enters into an encroachment agreement with the Hamilton-Wentworth Region to permit the existing structure within the widened limits, to the satisfaction of the Commissioner of Engineering.

The Committee agreed to **DELETE** the above-noted section and **APPROVED** the following amended resolution:

That approval be given to Zoning Application 90-66, 763225 Ontario Inc. (S. Hodgskiss), owner, requesting a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit the conversion of the existing building for a water treatment sales office, for property located at 158 Mary Street, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 10(1), the following additional uses shall be permitted only within the building existing at the date of the passing of the by-law:
    - (1.) Commercial Use  
A water treatment sales office
    - (2.) Accessory Use  
One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1205, and that the subject lands on Zoning District Map E-4 be notated S-1205;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



NOTE: The purpose of the by-law is to provide for a modification to the "D" (Urban Protected Residential -One and Two-Family Dwellings, Townhouses, etc.) District, for property located at 158 Mary Street.

The effect of the by-law is to permit:

- (a) The conversion of the existing building for a water treatment sales office; and,
- (b) One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m<sup>2</sup> non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.

8. Zoning Application 90-68, F. and G. Seymour, owners, for a change in zoning from "JJ" modified to "E" modified for properties at 186-188 Queen Street North; Central Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted Zoning Application. The staff recommendation recommends **DENIAL** of this application for the following reasons:

- (a) It conflicts with the intent of the Official Plan and the Central Neighbourhood Plan;
- (b) It would be incompatible with existing and future intended development in the surrounding area. In this regard, lands to the north and east are zoned and used for industrial purposes;
- (c) One of the prime goals of the residential care facility by-law is to provide residents of such facilities with an opportunity to live in a environment that closely approximates a family situation in a residential neighbourhood. The proposed 60 bed residential care facility is three times the capacity permitted in an "E" District, and as such, would represent an "Institutional" use. The proposals represents a significant departure from the provisions of the Residential Care Facility By-law and is contrary to the provincial policies which were designed to encourage smaller facilities in residential neighbourhoods; and,
- (d) The proposal is considered premature pending completion of the Neighbourhood Plan Review within the "Hess Block" bounded by Barton, Hess, Cannon and Queen Streets.

Report of the circularization was given as follows:

595 notices sent      24 in favour      4 opposed

Mr. Gary Sabroski, Architect, was in attendance as well as Mr. and Mrs. Seymour, the co-owners of lands being applied for re-zoning. Mrs. Seymour, spoke to the Committee and realizes that the density is of concern to staff and asked the Committee the number of beds that the Committee would approve. She submitted a petition of 105 residents in the area who are in favour of their proposal. She further added that she and her husband felt confident that approval of their application would not be of great concern and would be approved by staff and thus have purchased the property rather than placing a proposed offer. As such, she indicated that denial of their application would prove a financial hardship to them.

Mr. Lloyd Andrews, 181 Queen Street North was in attendance and referred to his letter dated 1990 November 3, respecting his opposition to the density of the proposed building. Mr. Andrews spoke to the Committee regarding his concerns at the limited parking available in the area now and his view that the Neighbourhood should remain Residential and that the proposed building, if approved, should be no taller than 3 levels.

Mr. Sabroski, the Architect for the building spoke to the Committee and indicated that parking would be accommodated in the design of the building. Even at 60 beds the required amount of parking would be provided.

The Committee then discussed the density that they would approve, and agreed to **APPROVE** the application with the condition that the building be no higher than 3 storeys with a maximum of 35 beds.

The following amended recommendation was then approved:

That approval be given to amended Zoning Application 90-68, Frederick and Gwynette Seymour, owners, for a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit a three (3) storey, 35 bed residential care facility for senior citizens, for property located at 186 and 188 Queen Street North, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the subject lands be rezoned from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
- (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 11.(1)(iiib) of Zoning By-law No. 6593 a residential care facility for the accommodation of not more than 35 elderly residents of at least 60 years of age shall be permitted;
  - (ii) That notwithstanding Section 11.(2) of By-law No. 6593 a maximum building height of three storeys shall be permitted;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1206, and that the subject lands on Zoning District Map W-3 be notated S-1206;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the Central Neighbourhood Plan be amended by redesignating the subject lands from "Industrial" to "Medium Density Apartments."

**NOTE:** The purpose of the By-law is to provide for a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at 186 and 188 Queen Street North.

The effect of the By-law is to permit a residential care facility for the accommodation of not more than 35 elderly residents of at least 60 years of age.

In addition, the By-law limits the maximum building height to three storeys.

9. Subdivision Application 25T-89029 and Zoning Application 89-89, Falconstone Development Corp., owner, for a change in zoning from "AA" to "C" for land on the west side of Upper Wentworth Street and the north side of Stone Church Road East; Crerar Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 30, respecting the above-noted applications and the Committee **APPROVED** the following:



- (a) That approval be given to Subdivision Application 25T-89029, Falconstone Development Corporation, owner, to establish a draft plan of subdivision north of Stone Church Road and west of Upper Wentworth Street, subject to the following conditions:
- (i) That this approval apply to the Plan prepared by Falcone Smith Associates Inc., dated 1989 August 23, showing 40 lots, 14 blocks (Block "41" to "54" inclusive) for development with adjacent lands, three blocks (Block "55" to "57" inclusive) as 0.3 metre reserve and two Blocks "58" and "59" as road widenings.
  - (ii) That the streets and the street widening be dedicated to the City of Hamilton as public highway on the final plan.
  - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes.
  - (vi) That such easements as are required for utility and drainage purposes be granted to the appropriate authority.
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Blocks "55" to "57" inclusive) to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
  - (ix) That Blocks "41" to "54" inclusive be developed only in conjunction with abutting lands.
  - (x) That lots 1-18 not be registered until the construction of services on Crerar Drive to the north of this development has been approved.
  - (xi) That the road allowance along the front of lots 19 and 20 and along the flankage of lot 18 be established to the full width of the road allowance in the Final Plan.
  - (xii) That the road allowance along the flankage of lots 6 and 14 be established to show the full intersection at Crerar Drive and the east west local road in the Final Plan.
  - (xiii) That a minimum centreline radius of 110.0 metres be established along the centreline of Crerar Drive.
  - (xiv) That the owner dedicate sufficient lands to the Region, to establish the property line at 18.29m (60 feet) from the centreline of the original Upper Wentworth Street road allowance, and these lands be shown as a separate block.
  - (xv) That the owner dedicate sufficient lands to the Region, to establish the property line at 15.24M (50 feet) from the centreline of the original Stone Church Road allowance, and these lands be shown as a separate block.

- (xvi) That the cul-de-sac road allowance width must be increased to 20.0 metres.
  - (xvii) That prior to the final plan, sewers and watermains have been extended to service this development.
  - (xviii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (xix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89029, Falconstone Development Corporation), owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the Crerar Neighbourhood plan be changed accordingly.

That approval be given to Zoning Application 89-89, Falconstone Development Corporation, owner, requesting a change in zoning from "AA (Agricultural) District to "C" (Urban Protected Residential, etc.) District to subdivide the subject land into building lots for single-family detached dwellings, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East, as shown on the attached map marked as Appendix "D" on the following basis.

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law NO. 6593 and Zoning District Map E-18C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East.

The effect of the By-law is to subdivide the subject land into building lots for single-family detached dwellings.

10. **Zoning Application 89-123, Fenwood Developments Ltd., owner, for changes in zoning from "C", "E", "G-3" and "H" to "CR-3" for property municipally known as 690 Main Street West; Westdale South Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 31, respecting the above-noted Zoning Application.

Report of the circularization was given as follows:

460 notices sent      14 in favour      35 opposed

Mr. Arthur Weisz, Mr. Bob Weisz, Mr. Joseph Banting (Architect), and Mr. Singer (Architect) were in attendance representing Fenwood Developments Ltd., owner of the property. Mr. Weisz spoke on aspects of their project.



The Committee was in receipt of the following letters of submission:

- (a) Petition - area residents.
- (b) Mrs. Beverley J. L. Niven, 33 Paradise Road South.
- (c) John R. Saver, 2 Olmstead Street.

Mrs. Smith, 40 Olmstead, spoke to the Committee in strong opposition to the application.

Mr. Saver, 2 Olmstead, spoke to the Committee and made reference to his submission. He indicated that the drawing shown by Mr. Weisz is not to scale and that the building will shadow his property. He also added that there is a future submission coming forward to the Committee and if the present application and the subsequent application were approved, that these two buildings would effectively close off any sunlight that would come onto the property of the single family homes.

Mr. Niven, 33 Paradise Road South, spoke and referred to his wife's submission. He spoke on the limited parking in the area now and questioned why an environmental study has not been required for this application.

Mr. Jim Van Dermoot, 79 Paradise Road South, disagrees with the staff report that the traffic flow will not be a problem, rather he feels that the traffic flow will heavily impact on the residential area.

Mr. Niven, who previously spoke, questioned staff on any proposals to open Olmstead and staff responded that there was no intent to do that.

The owner of property at 41 Paradise Road South expressed concerns that Olmstead may change to a through street in the future and feels that the area has been victimized by poor planning.

Mrs. Wood, 31 Paradise Road South, spoke to the Committee and indicated that she is a long term resident of the area along with her parents before her, and she added that historical Olmstead was determined that it would never be opened because of the unevenness of the grade.

Mr. Arthur Weisz spoke to the Committee and suggested that Olmstead should be closed completely and sold off to abutting properties and also added that Paradise Road will not be affected by traffic.

The Committee then discussed this application at great length and **APPROVED** the following:

That approval be given to amended Zoning Application 89-123, Fenwood Developments Ltd., owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", to permit development of the subject lands as a twin tower condominium apartment building with 9,000 square feet of commercial floor space, for property located at 690 Main Street West, as shown on the attached map marked as Appendix "E", on the following basis:

- (a) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District;
- (b) That Block "2" be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District;
- (c) That Block "3" be rezoned from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District;

- (d) That Block "4" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District;
- (e) That the "CR-2" (Commercial-Residential) District regulations, as contained in Section 15B of Zoning By-law No. 6593, applicable to Blocks "1", "2", "3", and "4", be modified to include the following variance as a special provision:

That notwithstanding Section 18(4)(iv), one accessory structure shall be permitted in the required front yard and west side yard;

- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1207, and the subject lands on Zoning District Map W-73 be notated S-1207;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-73 for presentation to City Council; and,
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (i) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of site plans, which include the implementation of a Shadow Casting Analysis to the satisfaction of the Director of Local Planning.

**NOTE:** The purpose of the By-law is to establish changes in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", for property located at 690 Main Street West.

The effect of the By-law is to permit development of the subject lands for a twin tower condominium apartment building (maximum 18 storeys in height) joined by a one-storey building consisting of 9,000 square feet of commercial floor space. In addition, the By-law provides a variance to permit a tennis court in the required front and west side yards.

Alderman Kiss **OPPOSED**.

**11. Zoning Application 90-21, Patran Holdings Ltd., owner, for a change in zoning from "J" to "E-3" for property municipally known as 125 Napier Street; Strathcona Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 October 31, respecting the above-noted Zoning Application.

The staff report recommended **DENIAL** of a portion of the application at 125 Napier Street for the following reason:

- (a) Approval of the application is premature pending the disposition of the applicant's remaining industrially zoned lands (fronting on Queen Street North) given the potential for land use conflicts.

Report of the circularization was given as follows:

654 notices sent      27 in favour      33 opposed



Mr. Patran, Herman Turkstra (Solicitor), Ed Fothergill (Planning Consultant), were in attendance to speak to their application. Mr. Turkstra outlined the original plan which was discussed at a neighbourhood meeting and was subsequently discarded due to the overwhelming amount of neighbourhood opposition to the plan. Mr. Turkstra then submitted to the Committee a revised plan as a result of neighbourhood input.

The owner of property at 95 Napier Street, spoke to the Committee and indicated that the property is very neglected now. He expressed concern at the impact that would be felt by parking in the area should the application be approved.

Ms. Fanier, 181 Napier Street, also spoke on her concerns at traffic. She also indicated that Ray Street is a main thoroughfare for vehicular access and stated that she feels Napier should not be closed and that Peter is a very narrow Street and summarized by indicating that she is opposed to the application.

Another owner of property on Napier Street questioned the analysis done on the wind factors on the site and the possible wind tunnel which could be created as a result of the development.

Mr. Bojeski, 23 Queen Street North, spoke in opposition to the application with respect to his concern that the density of the traffic and the limited parking.

Another representative from Napier Street also spoke in opposition to the application.

An owner of property on Napier Street indicated that there presently exists a wind problem and a parking problem now and feels that staff has not adequately looked into these difficulties before recommending approval of this application. She also indicated that if the building were approved, that the dumpster required for the apartment unit would be located on the Ray Street side of the property and thus be a negative impact on the abutting community.

The owner of property at 230 Market Street, spoke in opposition with respect to the parking impact which would be felt.

Mr. Kim, 23 Hester Street North, expressed concerns that it appears to him that people's opinions at the Public meetings of the Planning and Development Committee do not count when the Committee is faced with a presentation and delegation from a large corporation.

Mr. Ron Bander, 181 Napier Street, expressed concerns at the proposed height of the building and indicated that this proposed building should not be compared to Queen Street North's building.

Mr. Turkstra, Solicitor for the applicants, spoke and indicated that the neighbourhood concerns will be met under the Site Plan Control aspects. He also indicated that a neighbourhood meeting could be held at that time to discuss the site plans.

The Committee then discussed this matter at great length and agreed to **APPROVE** a modified "J" for the property at 125 Napier Street, and **APPROVED** the following amended resolution:

That approval be given to a further amended Zoning Application 90-21, Patran Limited Holdings, owner, for a change in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and a modification to the "J" (Light and Limited Heavy Industry, etc.) District (Block "2"), to permit the development of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to eliminate industrial uses on Block "2", for the properties located at 125 Napier Street and 55 Queen Street North, shown as Blocks "1" and "2" on the attached map marked as Appendix "F", on the following basis:

- (a) That Block "1" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "E-3" (High Density Multiple Dwellings) District;

- (b) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 11C(1a), no building or structure or portion thereof shall exceed:
    - (1.) Three storeys in height within area "A" on Appendix "G";
    - (2.) Six storeys in height within area "B" on Appendix "G"; and,
    - (3.) Fifteen storeys in height within area "C" on Appendix "G".
  - (ii) That a minimum 3.0 m wide landscaped strip and a visual barrier not less than 1.2 m and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line.
  - (iii) That in addition to the requirements of Section 18A(1), an additional 15 parking spaces shall be provided and maintained on the lot.
- (c) That the "J" (Light and Limited Heavy Industry, etc.) District regulations, as contained in Section 16 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:
- That notwithstanding Section 16.(1), no industrial uses shall be permitted.
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1208, and that the subject lands on Zoning District Map W-12 be notated S-1208;
  - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council;
  - (f) That the Strathcona Neighbourhood Plan be amended by redesignating Block "1" from "Medium Density Apartments" to "High Density Apartments".
  - (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of this By-law is to provide for changes in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and a modification to the "J" (Light and Limited Heavy Industry, etc.) District (Block "2"), for the properties located at 125 Napier Street and 55 Queen Street North.

The effect of this By-law is to permit the redevelopment of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to eliminate industrial uses for the lands on Block "2".

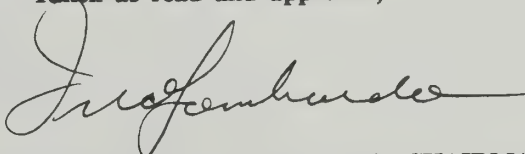
In addition, the by-law requires that:

- (a) A minimum 3.0 m wide landscaped strip and 1.2 m to 2.0 m high visual barrier be provided and maintained along the westerly lot line of Block "1"; and,
- (b) An additional fifteen parking spaces be provided and maintained for the multiple dwelling development on Block "1".

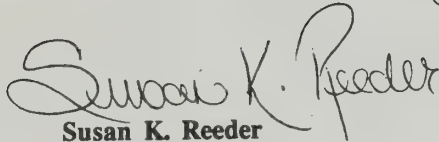


There being no further business, the meeting then adjourned.

Taken as read and approved,



ALDERMAN F. LOMBARDO, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE



Susan K. Reeder  
Secretary  
1990 November 7



CAHONHBLA05  
C51P4

URBAN/MUNICIPAL

1990

PLANNING AND DEVELOPMENT COMMITTEE  
1990 DECEMBER 5TH

GOVERNMENT DOCUMENTS

CONSENT AGENDA

ADOPTION OF THE MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE:

- A. Minutes of the meeting of the Planning and Development Committee held on Wednesday, 1990 November 21st.

BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATIONS

- B. 186 Queen Street North  
C. 188 Queen Street North  
D. 45 Beechwood Avenue  
E. 270 Dundonald Avenue  
F. 1530 Upper James Street

COMMERCIAL FACADE LOAN PROGRAMME

- G. Increase for 207 and 209 King Street East.  
H. 640 Concession Street.

CITY OF HAMILTON HERITAGE PROGRAMME

- I. 900 Woodward Avenue (The Hamilton Museum of Steam and Technology).  
J. 64 Forest Avenue (Church of the Ascension).  
K. 41 Jackson Street West (Whitehern).

CITY SOLICITOR

- L. Amendment to By-law No. 90-232 - Regulation of Gun Shops.

ACTING COMMISSIONER OF ENGINEERING

- M. Cash payment in lieu of parkland - Effort Gardens and Effort Gardens Extension.





Wednesday, 1990 November 21  
9:30 o'clock a.m.  
Room 233, City Hall

A.

The Planning and Development Committee met.

**There were present:** Alderman D. Drury, Acting Chairman  
Alderman M. Kiss, Acting Vice-Chairman  
Mayor Robert M. Morrow  
Alderman W. McCulloch  
Alderman V. Formosi  
Alderman D. Wilson  
Alderman H. Merling

**Regrets:** Alderman F. Lombardo - Vacation  
Alderman D. Ross - Civic Business

**Also present:** Alderman T. Jackson  
Alderman T. Murray  
Mr. D. Carson, Mayor's Office  
Reverend Johnson, Board of Education  
Mr. A. Georgieff, Director of Local Planning  
Mr. J. Thoms, Commissioner of Planning  
Mr. M. Watson, Manager, Real Estate Division,  
Property Department  
Mr. P. Mallard, Planning Department  
Mrs. N. Chapple, Planning Department  
Mr. G. Robis, Building Department  
Mr. W. Wong, Building Department  
Mr. B. Allick, Building Department  
Mr. K. Brenner, Regional Engineering Department  
Mr. R. Karl, Traffic Department  
Mrs. C. Floroff, Planning Department  
Mrs. Susan K. Reeder, Secretary

1. **CONSENT AGENDA**

A. **Adoption of the Minutes of the Planning and Development Committee:**

The Committee was in receipt and approved the minutes of their last meeting held on Wednesday, 1990 November 7.

B. **BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATION**

The Committee was in receipt of a report from the Building Commissioner dated 1990 November 12, respecting the demolition of property at 99 Arbour Road and approved the following:

That the Building Commissioner be authorized to issue a demolition permit for the following property:

- (a) 99 Arbour Road.

**DIRECTOR OF LOCAL PLANNING**

C. **Proposed Draft Plan of Condominium, Arm Orn Properties Ltd., owner, to establish a draft plan of condominium for property located on the south side of Harlowe Road west of Pritchard Road; Hannon North Neighbourhood. (25CDM-90006).**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 2, respecting the above-noted matter and approved the following:

That approval be given to Proposed Draft Plan of Condominium Application 25CDM-90006, Arm-Orn Properties Ltd., owner, to establish a draft plan of condominium located at the south side of Harlowe Road and west of Pritchard Road, subject to the following condition:

That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 July 5, showing 14 industrial units.

**D. By-law to remove part-lot control from part of Holland Avenue and Parcel "B", the one foot reserve, Registered Plan No. 909 - City of Hamilton; Butler Neighbourhood. (R.P.L.C. No. 57)**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 6, respecting the above-noted matter and approved the following:

- (a) That the City Solicitor be directed to prepare a by-law to remove part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.

NOTE: These lands are located south of Stone Church Road East and west of Beaverton Drive in the Butler Neighbourhood.

**E. By-law to remove part-lot control from Lots 1 to 32 inclusive - Registered Plan 62M-661; Butler Neighbourhood. (R.P.L.C. No. 59)**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 6, respecting the above-noted matter and approved the following:

- (a) That the City Solicitor be directed to prepare a by-law to remove part-lot control from Lots 1 to 32 inclusive of Registered Plan 62M-661.
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control on the above-noted Lots 1 to 32 inclusive of Registered Plan 62M-661.

NOTE: These lands are located south of Stone Church Road East and west of Acadia Drive in the Butler Neighbourhood. The lands are part of Aquino Gardens, a Plan of Subdivision.

**DIRECTOR OF PUBLIC WORKS**

**F. Increase to Purchase Order - Crown Point West/Stipeley, Programme for Renewal, Improvement, Development and Economic Revitalization (P.R.I.D.E.)**

The Committee was in receipt of a report from the Director of Public Works dated 1990 November 9, respecting the above-noted matter and approved the following:

That, Change Orders Three and Four in the amount of \$11,117.06 for additional work at Belview Park in the Crown Point West/Stipeley Neighbourhood be approved and charged to the Crown Point West/Stipeley Phase II (P.R.I.D.E.) Programme Account No. CF 5200 428702005.

NOTE: Change Orders Three and Four are required to provide additional fencing at railway lands near Belview Park and winterizing of the spray pool area at Lucy Day Park.

**REGULAR AGENDA****BUILDING COMMISSIONER**

2. **City of Hamilton By-law 84-35, to provide for the maintaining of land in a clear and clean condition.**

The Committee was in receipt of a report from the Building Commissioner dated 1990 November 5, respecting the above-noted matter and approved the following:

That the City Solicitor be authorized and directed to prepare a By-law to give immediate effect to Orders issued pursuant to By-law 84-35, by authorizing the Building Commissioner to expend monies to a maximum of \$2,000. Furthermore, such money is to be recovered by adding the sum to the tax roll to be collected in a like manner as municipal taxes.

NOTE: City of Hamilton By-law 84-35 authorizes the Building Commissioner to clean up property where the owner is in default of the by-law.

**DIRECTOR OF PROPERTY**

3. **Purchase by City - 219 Brant Street - Hamilton East Kiwanis Non Profit Homes Inc. for the Alpha West Residential Enclave Clearance Programme.**

The Committee was in receipt of a report from the Director of Property dated 1990 November 15, respecting the above-noted matter and approved the following:

- (a) That an Option to Purchase the property at 219 Brant Street, duly executed by the Hamilton East Kiwanis Non Profit Homes Inc. for the Alpha West Residential Enclave Clearance Programme on 1990 November 9, and scheduled to close on or before 1991 February 4, be completed.
- (b)
  - (i) This Option to Purchase, and the binding contract of purchase and sale in the event of acceptance by the City, shall be conditional until the closing date so that the Owner may obtain the consent of Canada Mortgage and Housing Corporation ("CMHC") for the sale transaction contemplated herein, and failing receipt of such consent this Option to Purchase and any subsequent contract of purchase and sale shall be null and void, and any deposit paid shall be returned to the City without interest or deduction.
  - (ii) The Owner shall be entitled to remove the Stove and Refrigerator from the premises prior to closing.
- (c) The purchase price of \$70,000. is to be charged to Account Number CF5590308750001 Land Acquisition Enclave Clearance Program. Demolition is to take place upon closing.

NOTE: The subject property has a frontage of 9.144 metres (30 feet), more or less, by a depth of 24.384 metres (80 feet), more or less, together with all structures erected thereon being Municipal Number 219 Brant Street.



**DIRECTOR OF LOCAL PLANNING****4. Proposed renaming of a road - Alma Avenue to Eaglewood Drive; Eleanor Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 13, respecting the above-noted matter and approved the following:

- (a) That the renaming of Alma Avenue to Eaglewood Drive be approved;
- (b) That the City Solicitor be directed to prepare an appropriate by-law for the approval of City Council; and,
- (c) That this by-law be duly registered.

**5. Revised Terms of Reference - Business Land Use Advisory Board.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 14, and approved the following:

That the Terms of Reference of the Business Land Use Advisory Board, attached herewith and marked as Appendix "A", be approved.

**ADDED - DEMOLITION - 53 LAKE AVENUE**

The Committee was in receipt of an added report from the Building Commissioner dated 1990 November 21, respecting the above-noted matter and approved the following:

That the Building Commissioner be authorized to issue a demolition permit for the following property:

- (a) 53 Lake Avenue North.

**ZONING APPLICATIONS****6. Subdivision Application 25T-90010 and Zoning Application 90-58, Starward Homes, owner, for a change in zoning from "AA" to "C" for lands municipally known as 236 Stone Church Road West; Gourley Neighbourhood.**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 12, respecting the above-noted matter.

Mr. Ward Campbell, owner of Starward Homes was in attendance to speak to the Committee.

The Committee approved the following:

- (a) That approval be given to Subdivision Application 25T-90010, Starward Homes, owner, to establish a draft plan of subdivision north of Stone Church Road West and west of Chesley Street, subject to the following conditions:
  - (i) That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 March 22, revised to show 10 lots, one block (Block "11") as a public walkway and one block (Block "12") as a 0.3m reserve;
  - (ii) That the street be dedicated as a public highway and the walkway be dedicated as a public walkway to the City of Hamilton on the final plan;



- (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;
  - (iv) That the final plan conform with the zoning by-law approved under The Planning Act;
  - (v) That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes;
  - (vi) That such easements as may be required for utility and drainage purposes be granted to the appropriate authority;
  - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan;
  - (viii) That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Block "12"), to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands;
  - (ix) That prior to the final plan, sewers and watermains have been approved for construction on "Orchard Park Estates (25T-88003) and Harbottle Court (25T-89006).
  - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
  - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this proposed draft plan of subdivision 25T-90010, Starward Homes, owner, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

That approval be given to Zoning Application 90-58, Starward Homes, owner for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for land municipally known as 236 Stone Church Road West, as shown on the attached map marked as Appendix "B" on the following basis:

- (a) That the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17C for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property municipally known as 236 Stone Church Road West.

The effect of the By-law is to permit single-family detached development on the subject lands.

7. Zoning Application 90-63, Vorelco Limited, owner, for a change in zoning from "AA" and "HH" modified to "C" and "HH" for lands municipally known as 1209 to 1223 Upper James Street; Jerome Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 13, respecting the above-noted zoning application.

Report of the circularization was given as follows:

99 notices sent      12 in favour      1 opposed

Partners of Vorelco Limited, owners of the property, were in attendance and spoke to the Committee with respect to their application.

Mr. Riliveri, 25 Chipman, spoke in opposition to the application and indicated that there are enough plazas in the area already that are very noisy and disruptive to the surrounding homes. He also added that there is a clutter of junk on the property and summarized by saying that he wishes to have the application denied.

The Committee then discussed this application and approved the following:

That approval be given to amended Zoning Application 90-63, Vorelco Limited, owner, requesting changes in zoning from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc.- Holding) District (Block "1"); from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District (Block "2"); from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District (Block "3"); and for a modification to the "HH" (Restricted Community Shopping and Commercial) District (Block "4") to permit single-family development on Block "1" and retail commercial development on Blocks "2", "3" and "4", for property municipally known as 1209-1223 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, to the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed.

Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers serving the subject lands as the City deems necessary and passage of an amending by-law. City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law by enactment of an amending by-law once municipal sewers have been installed.

- (b) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. Holding) District;
- (c) That the lands described as Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (d) That the lands described as Block "3" be rezoned from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- (e) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to Blocks "2", "3" and "4", as shown on the attached map marked as Appendix "C", be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 14A(3)(a) a minimum front yard of 24.0 m shall be provided and maintained;
- (ii) That a minimum 3.0 m wide landscaped strip, excluding any vehicular access, be provided and maintained adjacent to the Upper James Street road allowance;
- (iii) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 6.0 m wide to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2";
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1209, and that the subject lands on Zoning District Map E-9B be notated S-1209;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9B for presentation to City Council;
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, on the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Block "1" until municipal sewers are installed. Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers as the City deems necessary and the passage of an amending By-law by the City Council to remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in the amending By-law outlined below.

The purpose of the By-law is to provide for changes in zoning for property municipally known as 1209-1223 Upper James Street.

- Block "1" - Change from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
- Block "2" - Change from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- Block "3" - Change from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- Block "4" - Modification to the "HH" (Restricted Community Shopping and Commercial) District.

The effect of the By-law is to permit development of the subject lands for the following uses:

- Block "1" - single-family dwellings;
- Blocks "2"  
3" and "4" - retail commercial.

In addition, the By-law provides for the following variances as special requirements:

- (a) To require a minimum 24.0 m building setback from the front lot line (Upper James Street) for Blocks "2", "3" and "4";



- (b) To require a minimum 3.0 m wide landscaped strip, excluding vehicular access, to be provided and maintained adjacent to the Upper James Street road allowance;
- (c) To require a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained within a 6.0 m wide landscaped strip to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2".

8. Zoning Application 90-75, A-1 Towing, lessee, for a modification to the "M-15" District regulations for property at 1650 Upper Ottawa Street; Hannon West Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 6, respecting the above-noted matter and approved the following:

That approval be given to Zoning Application 90-75, A-1 Towing, lessee, requesting a modification to the established "M-15" (Prestige Industrial) District regulations, to allow, in addition to the other permitted uses, the establishment of a towing service and storage compound, for property located at 1650 Upper Ottawa Street, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the "M-15" (Prestige Industrial) District regulations, as contained in Section 17G of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special provision:

- (i) That notwithstanding Section 17G(1)(b), the following additional Commercial use shall be permitted:

<u>Use Not Prohibited</u>	<u>S.I.C. Number</u>
Other Motor Vehicle Services, n.e.c.	6399

- 
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1210, and the subject lands on Zoning District Map E-49E be notated S-1210;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-15" (Prestige Industrial) District regulations for property located at 1650 Upper Ottawa Street.

The effect of the By-law is to allow, in addition to the other permitted uses, the establishment of a motor vehicle towing service and storage compound.

9. Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, for a change in zoning from "AA" to "DE" modified for land on the west side of Rice Avenue, south of Chadmac Drive; Mountview Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 14, recommending that amended Zoning Application 90-67, BE TABLED for the following reason:

The application is premature pending the submission and review of a land use plan and the road pattern for the Chedoke Health Corporation holdings in the Mountview Neighbourhood.



Reverend Johnson, representing the Board of Education, declared a conflict of interest on this application and left the table.

Report of the circularization was given as follows:

1,516 notices sent    186 in favour    66 opposed

The Committee was in receipt of the following letters of submission:

- (a) W. M. Wadley, 241 West 32nd Street.
- (b) Mrs. S. Holden, 217-760 Mohawk Road West.
- (c) R. C. Walker, President, Chedoke McMaster Hospitals.

Ben Vanderbrug, President, Presbyterian Residences (Hamilton) Inc., spoke to the Committee briefly and outlined the history of their organization and also introduced members on their Board and local ministers of Presbyterian Churches also in attendance.

Mr. Ed Fothergill, Planning Consultant and member of the Board outlined the plans for their Zoning Application. Mr. Fothergill also distributed a submission respecting the project's philosophy and a map of the proposed site plan for the property.

Mr. Don May, Planning Consultant, spoke to the Committee and outlined a draft preliminary diagram of the Neighbourhood Plan for the Chedoke lands. He indicated that he anticipates a two year timing to the finalizing of this plan and outlined the work still to be done.

Mr. Don Faucette, resident of Scenic Drive, spoke in opposition to the application as he feels the area is becoming too congested. He emphasized that planning is essential for the lands to prevent an overwhelming traffic impact on the established single family neighbourhood surrounding this area. He also added that only Sanatorium and Scenic Roads are the main routes now and that they are not able to handle additional traffic.

Mr. Howard Green, of San Diego Court, spoke to the Committee and mentioned a historical promise given to the residents in the area, that they would be consulted on changes. He added that this has not occurred. He also indicated that the traffic in the area is very intense now and has concerns on the impact this development will have on the existing area.

Mr. Bill Wadley, West 32nd Avenue, inquired about the proposed development and also made mention of the impact being felt on the streets by parking, whereby students and employees wishing to avoid parking costs at Chedoke Hospital are parking on the nearby residential streets. He added that this needs to be corrected to lessen the impact on the neighbourhood.

Some discussion then ensued on the locations of the proposed Twin-Pad Arena and the Aquatic Centre and how the traffic flow from these facilities would be directed.

A resident on San Pedro Drive, also spoke mentioning her fear of the parking impact on San Pedro for people trying to avoid paying for parking. She added that this occurs now and will be made greater by the development if approved.

Mr. Grove, of Buckingham Drive, expressed concerns at the noise impact of this development. He added that the existing laundry facility which services all hospitals in Hamilton is very noisy and that further noise will increase if approval of this application is given.

Mr. Mallard of the Planning Department, confirmed that a site plan will apply to this application.

The Committee then approved the following:

- (a) That approval be given to Official Plan Amendment No. 96 to redesignate the lands located on the west side of Rice Avenue, south of Chedmac Drive from "Major Institutional" to "Residential", and the City Solicitor be directed to prepare a by-law for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified, to permit the development of a senior citizens community consisting of a six storey, 82 unit apartment building; 18, two storey stacked townhouse units; 34, one storey townhouse units; a residential care facility for 12 residents, and an amenity centre, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as Appendix "E", on the following basis:
  - (i) That the subject lands be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
  - (ii) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of Zoning By-law No. 6593, be modified to include the following variances as special requirements:
    - (1.) That notwithstanding Section 10A(1) only the following uses shall be permitted:
      - (a) multiple dwellings containing not more than a total of 100 dwelling units;
      - (b) 34 townhouse dwelling units;
      - (c) a residential care facility for the accommodation of not more than 12 residents aged 60 years and older; and,
      - (d) an amenity centre having a minimum gross floor area of 1,010.0 m<sup>2</sup>.
    - (2.) That notwithstanding Section 10A(2), the maximum height of one of the multiple dwellings shall not exceed six storeys.
    - (3.) That for the purposes of this By-law, "Amenity Centre" shall include, but not be limited to, the following:
      - (a) Administrative offices;
      - (b) Chapel;
      - (c) Library;
      - (d) Activity and Exercise rooms;
      - (e) Lounges;
      - (e) Dining Room;
      - (f) Variety Store;
      - (g) Hairdresser.
  - (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1211, and that the subject lands on Zoning District Map W-37 be notated S-1211;
  - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 for presentation to City Council;

- (v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 96 by the Regional Municipality of Hamilton-Wentworth.
- (vi) That the Mountview Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Low Density Apartments".
- (c) That prior to the passing of the amending By-law the applicant shall apply for and receive Site Plan approval.

**NOTE:** The Corporation of the City of Hamilton has adopted Official Plan Amendment No. 96 to the Official Plan for the Hamilton Planning Area to redesignate the lands located on the west side of Rice Avenue, south of Chedmac Drive from "Major Institutional" and "Residential".

The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified for the above noted lands.

The effect of the by-law is to permit the development of the lands for a senior citizens community consisting of:

- (a) a six storey, 82 unit apartment building;
- (b) 18, two storey stacked townhouse units;
- (c) 34, one storey townhouse units;
- (d) a residential care facility for 12 residents aged 60 years and over; and,
- (e) an amenity centre including a chapel, library, administrative offices, activity and exercise rooms, lounges, dining rooms, variety store and hairdresser.

**There being no further business, the meeting then adjourned.**

**Taken as read and approved,**

**ALDERMAN D. DRURY, VICE-CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder  
Secretary  
1990 November 21**





# CITY OF HAMILTON

# B.

## - RECOMMENDATION -

DATE: 23 November 1990

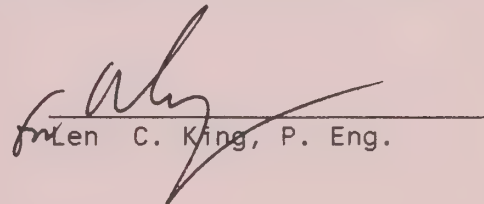
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
186 QUEEN STREET NORTH - Tag Number 81345

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 186 Queen Street North.

  
for Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "JJ/S-450" Restricted Light Industrial District

PRESENT USE: Single Family Dwelling

PROPOSED USE: Residential care Facility for senior citizens.

BRIEF DESCRIPTION: 2 storey wood frame aluminum siding dwelling in poor condition.

It is the intention of the owner to demolish the existing single family dwelling and propose a three-storey 35 bed residential care facility for senior citizens. A zoning application has been made to change the present "JJ" - (Light Industrial) Modified to "E" - (Multiple dwellings, lodges, clubs, etc). The zoning application was approved November 7, 1990 by the Planning and Development Committee and adopted by City Council on November 13, 1990. The By-law to change the zoning is presently in draft by-law stage. Lot size 83.16' X 177.76'.

The owner of the property as per the demolition permit application is:

Frederick and Gwynette Seymour  
60 West Avenue South  
HAMILTON, Ontario  
L8N 2S3 Telephone: 529-0604



# CITY OF HAMILTON

## — RECOMMENDATION —

DATE: 23 November 1990

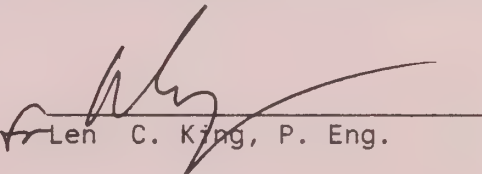
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
188 QUEEN STREET NORTH - Tag Number 81345

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 188 Queen Street North.

  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "JJ/S-450" Restricted Light Industrial District

PRESENT USE: Single Family Dwelling

PROPOSED USE: Residential care Facility for senior citizens.

BRIEF DESCRIPTION: 2 storey wood frame aluminum siding dwelling in poor condition.

It is the intention of the owner to demolish the existing single family dwelling and propose a three-storey 35 bed residential care facility for senior citizens. A zoning application has been made to change the present "JJ" - (Light Industrial) Modified to "E" - (Multiple dwellings, lodges, clubs, etc). The zoning application was approved November 7, 1990 by the Planning and Development Committee and adopted by City Council on November 13, 1990. The By-law to change the zoning is presently in draft by-law stage. Lot size 83.16' X 177.76'.

The owner of the property as per the demolition permit application is:

Frederick and Gwynette Seymour  
60 West Avenue South  
HAMILTON, Ontario  
L8N 2S3 Telephone: 529-0604





# CITY OF HAMILTON

D.

## - RECOMMENDATION -

DATE: 23 November 1990

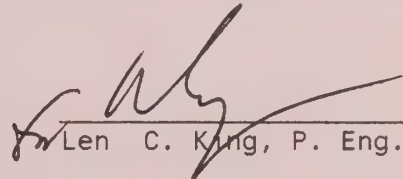
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
45 BEECHWOOD AVENUE - Tag Number 81323

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 45 Beechwood Avenue.

  
\_\_\_\_\_  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "C" (Urban Protected Residential, etc.)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Vacant

BRIEF DESCRIPTION: Two and a half (2-1/2) storey wood frame aluminum siding dwelling in very poor condition.

The above-noted dwelling was subject to a fire approximately one year ago which extensively damaged the rear portion of the dwelling. Since that time the property has been subject to numerous complaints regarding the condition of the property. The dwelling has been demolished without benefit of a demolition permit being issued. The Building Department has recommended not to take legal action with respect to demolishing the house. Lot size 25.00' X 100.00'.

The owner of the property as per the demolition permit application is:

D.S. Aitchison  
45 Beechwood Avenue  
HAMILTON, Ontario  
L8L 2S5



# CITY OF HAMILTON

# E.

## — RECOMMENDATION —

DATE: 23 November 1990

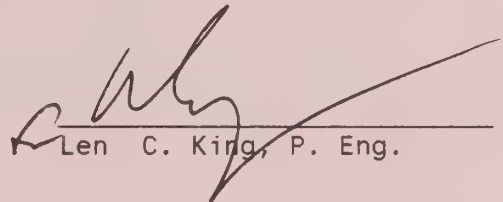
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
270 DUNDONALD AVENUE - Tag Number 81361

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 270 Dundonald Avenue.



\_\_\_\_\_  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "C" (Urban Protected Residential, etc.)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Single Family Dwelling

BRIEF DESCRIPTION: 1-1/2 storey wood frame wood siding dwelling in poor condition.

It is the intention of the owner to demolish the existing single family dwelling and erect a new single family dwelling. Lot size 64.00' X 111.39'.

The owner of the property as per the demolition permit application is:

Mario and Ida Cardinali

563 Rosseau Road  
HAMILTON, Ontario

L8K 4T7

Telephone: 545-4343





# CITY OF HAMILTON

## — RECOMMENDATION —

DATE: 23 November 1990

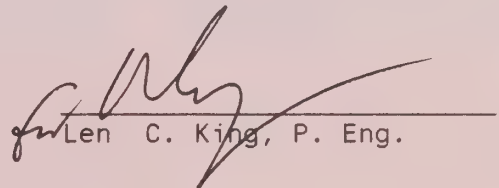
REPORT TO: Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

FROM: Mr. Len C. King, P. Eng.  
Building Commissioner

SUBJECT: Demolition of:  
1530 UPPER JAMES STREET - Tag Number 81351

### RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for 1530 Upper James Street.

  
Len C. King, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

### BACKGROUND:

PRESENT ZONING: "C" (Urban Protected Residential, etc.)

PRESENT USE: Single Family Dwelling

PROPOSED USE: Vacant (Future Development)

BRIEF DESCRIPTION: 1-1/2 storey wood frame aluminum siding dwelling in fair condition.

It is the intention of the owner to demolish the existing single family dwelling and leave the land vacant for future development in approximately one year. The owner has decided to demolish now because of repeated vandalism to the house and the enormous cost to bring the building up to standards for renting. Lot size 248.00' X 926.59'

The owner of the property as per the demolition permit application is:

Luciano Scornaienchi  
177 Annabelle Street  
HAMILTON, Ontario  
L9C 3T8

Telephone: 383-0495



# FOR ACTION

G.

**REPORT TO:** Mrs. S. Reeder, Secretary  
Planning & Development Committee

**FROM:** Mr. L. King,  
Building Commissioner

**DATE:** 1990 November 15  
**DEPT FILE:** FACADE 74

**SUBJECT:** Commercial Facade Loan Programme -  
Increase for 207 & 209 King St. E., Hamilton

## **RECOMMENDATION:**

That an Increase under the Commercial Facade Loan Programme, in the amount of two thousand, seven hundred and fifty-four dollars (\$2,754.) be approved for 207-209 King Street East, Mr. U. Kim for a new loan amount of forty-five thousand dollars (\$45,000.). The interest rate will be 7 3/8 percent, amortized over 10 years.

  
Mr. L. King, Building Commissioner

## **FINANCIAL IMPLICATIONS (N/A):**

N/A

## **BACKGROUND:**

The Planning and Development Committee, in a report dated 1990 June 26, approved a Commercial Facade Loan for Mr. Ung Kim in the amount of thirty-eight thousand, three hundred and one dollars (\$38,301.). Since that time Mr. Kim has applied for an increase which was approved by Council at its meeting held 1990 August 28. Mr. Kim has subsequently requested additional extras in the amount of two thousand, seven hundred and fifty-four dollars (\$2,754.).

The Department of Community Development therefore recommends the approval of an increase to their existing Commercial Facade Loan to Mr. Kim for improvements to 207-209 King Street East in the amount of \$2,754. for a total loan amount of forty-five thousand dollars (\$45,000.). The loan will be amortized over a 10 year period at 7 3/8 percent interest. The monthly payments will be \$531.30 and will be secured by a Promissory Note and a lien registered on title.

c.c. R. Camani, Treasury Department





# FOR ACTION

H.

**REPORT TO:** Mrs. S. Reeder, Secretary  
Planning & Development Committee

**FROM:** Mr. L. King, P. Eng.  
Building Commissioner

**DATE:** 1990 November 28  
**DEPT FILE:** FACADE 80

**SUBJECT:** Commercial Facade Loan Programme -  
640 Concession Street, Hamilton

## **RECOMMENDATION:**

That a Commercial Facade Loan, in the amount of fifteen thousand dollars (\$15,000.) be approved for 640 Concession Street, Dr. William Cowan. The interest rate will be 6 5/8 percent, amortized over 10 years.

  
Mr. L. King, Building Commissioner

## **FINANCIAL IMPLICATIONS (N/A):**

N/A

## **BACKGROUND:**

The owner of 640 Concession Street has applied for assistance under the City of Hamilton's Commercial Facade Loan Programme. As per the terms of the Programme, the Building Department has inspected the property under the Property Standards By-law 74-74, and the necessary repairs have been included in the cost of repairs.

The Concession Street Business Improvement Area (B.I.A.) has reviewed the plans and approved the work which is to be undertaken by the owner.

The Department of Community Development therefore recommends the approval of a Commercial Facade Loan to Dr. William Cowan for improvements to 640 Concession Street in the amount of \$15,000. The loan will be amortized over a 10 year period at 6 5/8 percent interest. The monthly payments will be \$171.30 and will be secured by a Promissory Note and a lien registered on title.

c.c. R. Camani, Treasury Department



# FOR ACTION

I.

**REPORT TO:**

Mrs. S. Reeder, Secretary  
Planning & Development Committee

**FROM:**

Mr. L. King, P. Eng.  
Building Commissioner

**DATE:** 1990 November 27

**DEPT FILE:** HERITAGE 78

**SUBJECT:**

City of Hamilton Heritage Programme -  
900 Woodward Avenue, Hamilton, The Hamilton Museum of  
Steam & Technology.

**RECOMMENDATION:**

That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to The Hamilton Museum of Steam & Technology, 900 Woodward Avenue, Hamilton.

  
Mr. L. King

Building Commissioner

**FINANCIAL IMPLICATIONS (N/A):**

N/A

**BACKGROUND:**

The Planning and Development Committee in a report dated 1982 December 06, approved the Department of Community Development's participation in the Provincial Government's Designated Property Grant Programme. The City's Finance Committee also established a clearing amount of \$10,000. for the purpose of implementing the Programme. The Province of Ontario as per the terms of the executed agreement, will reimburse the Municipality for funds advanced under the Programme, plus the 10% administration fee.

The terms of the Programme provide the owners of heritage properties with a grant of up to \$3,000. or 50% of the cost, whichever is less, for the replacement of the heritage features. The property receiving funds under the Programme must be designated by Council as heritage properties and this was done by Council 1986 June 24. The owners of the designated property located at 900 Woodward Avenue, have applied under the Programme for the restoration of the shoring of the chimney flute.

As per the terms of the Programme, the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), has reviewed the work to be undertaken, as well as the estimates, and are recommending the acceptance of Isbister Restoration's estimates.

**The Loans Division, Building Department, therefore recommends a total Heritage Grant in the amount of \$3,000.**

**c.c. R. Camani, Treasury Department**



# FOR ACTION

J.

**REPORT TO:** Mrs. S. Reeder, Secretary  
Planning & Development Committee

**FROM:** Mr. L. King, P. Eng.  
Building Commissioner

**DATE:** 1990 November 27  
**DEPT FILE:** HERITAGE 56

**SUBJECT:** City of Hamilton Heritage Programme -  
64 Forest Avenue, Hamilton, Church of the Ascension

**RECOMMENDATION:**

That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to the Church of the Ascension, 64 Forest Avenue, Hamilton.

  
Mr. L. King  
Building Commissioner

**FINANCIAL IMPLICATIONS (N/A):**

N/A

**BACKGROUND:**

The Planning and Development Committee in a report dated 1982 December 06, approved the Department of Community Development's participation in the Provincial Government's Designated Property Grant Programme. The City's Finance Committee also established a clearing amount of \$10,000. for the purpose of implementing the Programme. The Province of Ontario as per the terms of the executed agreement, will reimburse the Municipality for funds advanced under the Programme, plus the 10% administration fee.

The terms of the Programme provide the owners of heritage properties with a grant of up to \$3,000. or 50% of the cost, whichever is less, for the replacement of the heritage features. The property receiving funds under the Programme must be designated by Council as heritage properties and this was done by Council 1987 August 12. The owners of the designated property located at 64 Forest Avenue have applied under the Programme for the restoration of the masonry.

As per the terms of the Programme, the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), has reviewed the work to be undertaken, as well as the estimates, and are recommending the acceptance of Isbister Restoration's estimates.

**The Loans Division, Building Department, therefore recommends a total Heritage Grant in the amount of \$3,000.**

**c.c. R. Camani, Treasury Department**

# FOR ACTION

K.

**REPORT TO:** Mrs. S. Reeder, Secretary  
Planning & Development Committee

**FROM:** Mr. L. King, P. Eng.  
Building Commissioner

**DATE:** 1990 November 27  
**DEPT FILE:** HERITAGE 77

**SUBJECT:** City of Hamilton Heritage Programme -  
41 Jackson Street West, Hamilton, Whitehern

**RECOMMENDATION:**

That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to Whitehern, 41 Jackson Street West, Hamilton.

  
Mr. L. King  
Building Commissioner

**FINANCIAL IMPLICATIONS (N/A):**

N/A

**BACKGROUND:**

The Planning and Development Committee in a report dated 1982 December 06, approved the Department of Community Development's participation in the Provincial Government's Designated Property Grant Programme. The City's Finance Committee also established a clearing amount of \$10,000. for the purpose of implementing the Programme. The Province of Ontario as per the terms of the executed agreement, will reimburse the Municipality for funds advanced under the Programme, plus the 10% administration fee.

The terms of the Programme provide the owners of heritage properties with a grant of up to \$3,000. or 50% of the cost, whichever is less, for the replacement of the heritage features. The property receiving funds under the Programme must be designated by Council as heritage properties and this was done by Council 1977 July 26. The owners of the designated property located at 41 Jackson Street West have applied under the Programme for the restoration of the entrance steps.

As per the terms of the Programme, the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), has reviewed the work to be undertaken, as well as the estimates, and are recommending the acceptance of Ontario Restoration Limited's estimates.

**The Loans Division, Building Department, therefore recommends a total Heritage Grant in the amount of \$3,000.**

**c.c. R. Camani, Treasury Department**



**CITY OF HAMILTON**  
**- RECOMMENDATION -**

L.

**DATE:** 1990 November 16

**REPORT TO:** Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

**FROM:** P. Noé Johnson,  
City Solicitor

NOV 19 1990

**SUBJECT:** Amendment to By-law No. 90-232 - Regulation of Gun Shops

**RECOMMENDATION:**

That the City Solicitor be authorized and directed to amend By-law No. 90-232 respecting the regulation of gun shops, to make certain housekeeping changes giving effect to City Council's original intent.

"P. Noé Johnson" per: P. Hooker  
P. Noé Johnson

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:** N/A

**BACKGROUND:**

City Council, on July 31, 1990, passed By-law No. 90-232 to define gun shops and to define the zoning districts wherein gun shops could be located.

The Planning and Building Departments have identified certain housekeeping changes that should be made to the by-law to express Council's original intent.

- c.c. Mr. A. L. Georgieff,  
Director of Local Planning  
Attention: Ms. Mary Lou Tanner
- c.c. Mr. L. C. King,  
Building Commissioner  
Attention: Mr. E. Begg
- c.c. Mr. V. J. Abraham, Director,  
Regional Planning Division,  
Provincial Office Tower



m.

F O R   A C T I O N

REPORT TO: SUSAN K. REEDER  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: E.M. GILL, P. ENG.  
ACTING COMMISSIONER OF ENGINEERING

DATE: 1990, November 27  
COMM FILE:  
DEPT FILE: S705-26  
S705-28

SUBJECT

Effort Gardens and Effort Gardens Extension, Subdivisions, Hamilton.


RECOMMENDATION

- 1) That the City of Hamilton accept the sum of \$98,475.00 as cash payment in lieu of the 5% parkland dedication, in connection with Effort Gardens, Hamilton.
- 2) That the City of Hamilton accept the sum of \$16,815.00 as cash payment in lieu of the 5% parkland dedication, in connection with Effort Gardens Extension, Hamilton.

The above figures represent the cash requirement under Section 50 of the Planning Act.

NOTE

These lands are located north of Stone Church Road and east of Upper James Street, in the Jerome Neighbourhood, Hamilton.

  
E. M. Gill, P. Eng  
Acting Commissioner of Engineering

FINANCIAL IMPLICATIONS

N/A

Cond't...

-page 2-  
November 27, 1990

Effort Gardens and Effort Gardens Extension, Subdivisions  
Hamilton

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Cont'd...

BACKGROUND:

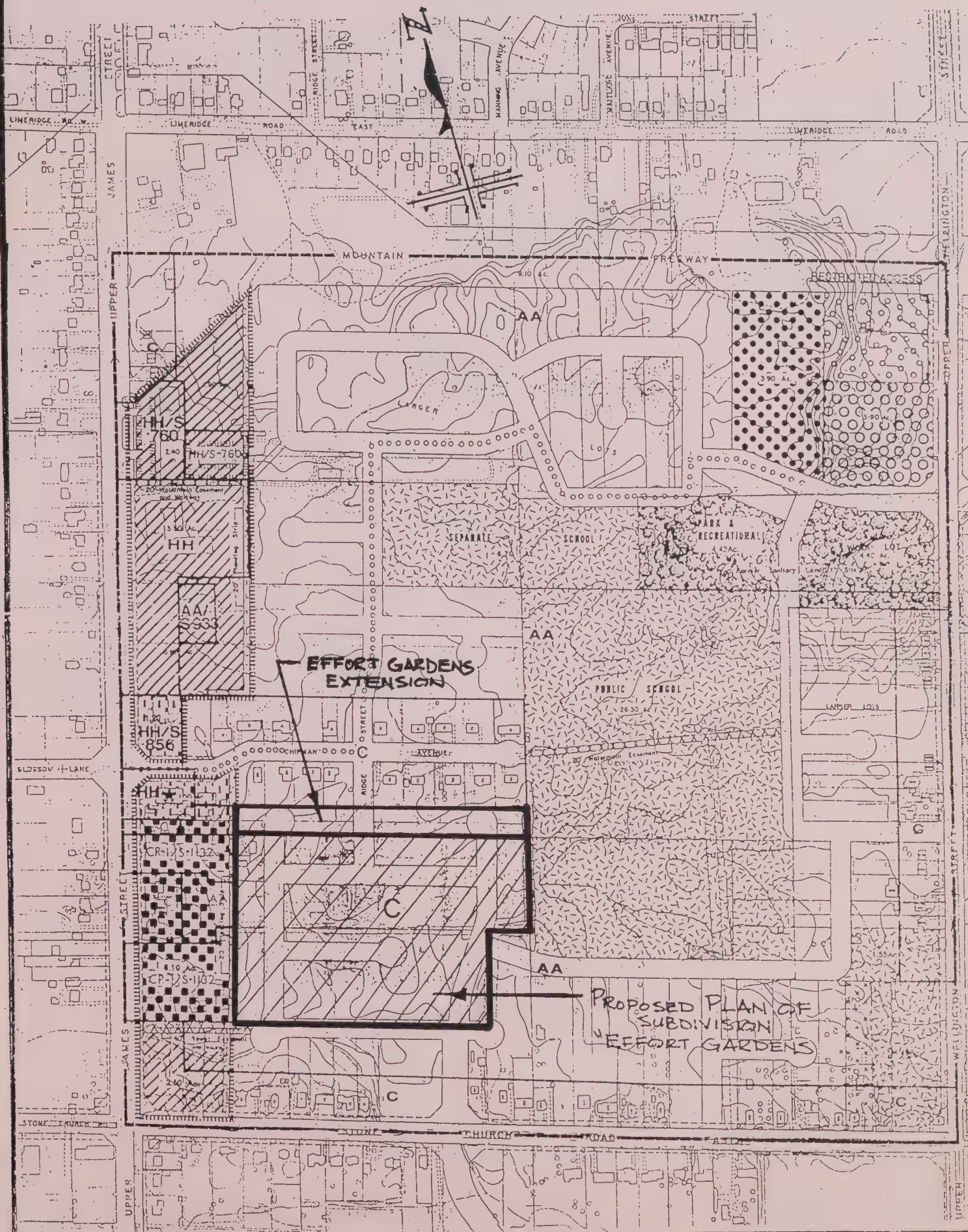
The Owner of the lands for the above referenced subdivisions will be executing subdivision agreements with the City of Hamilton in the near future. A copy of the Final Survey Plans are attached for your information.

In accordance with normal City procedure, the City and Regional staff have completed calculations for the 5% cash payment in lieu of Parkland Dedication. The sum to be included in the subdivision agreements has been calculated at \$98,475.00 for the Effort Gardens subdivision and \$16,815.00 for the Effort Gardens Extension subdivision.

 MJI:ju  
Attach

cc: Bill Gillchrist, City Treasury Department.





JEROME NEIGHBOURHOOD

KEY PLAN  
N.T.S.

APPROVED PLAN



K.E. AVERY  
CITY CLERK

J.J. SCHATZ  
DEPUTY CITY CLERK



Urban Municipal  
Librarian/Central  
Library

THE CORPORATION OF THE CITY OF HAMILTON  
OFFICE OF THE CITY CLERK

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FAX: 546-2095

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C51P4  
URBAN/MUNICIPAL

1990

1990 December 6th

URBAN MUNICIPAL

DEC 31 1990

GOVERNMENT DOCUMENTS

Mr. J. Pavelka, Director of Public Works  
Mr. L. King, Building Commissioner  
Mr. S. Ghanem, Director of Economic Development  
Mr. T. Gill, Acting Engineering Commissioner  
Attention: Mr. K. Brenner  
Mr. M. Main, Director of Traffic Services  
Attention: Mr. R. Karl  
Ms. Diana Pasko, Planning Department  
Mr. E.G. Beres, Regional Assessment Commissioner  
Urban Municipal Librarian, Central Library

Attached herewith are the minutes of the Planning and Development Committee meeting held Wednesday, 1990 November 21st.

These minutes were approved by the Planning and Development Committee at its meeting held Wednesday, 1990 December 5th.

Yours very truly,

Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

Attch's.

- c.c.'s - M. W. B. O'Brien, Director of Transportation Services, H.S.R.  
- Mr. Paul E. Shewfelt, Board of Education  
- Mr. Douglas Kelterborn, Board of Education





Wednesday, 1990 November 21  
9:30 o'clock a.m.  
Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman D. Drury, Acting Chairman  
Alderman M. Kiss, Acting Vice-Chairman  
Mayor Robert M. Morrow  
Alderman W. McCulloch  
Alderman V. Formosi  
Alderman D. Wilson  
Alderman H. Merling

Regrets: Alderman F. Lombardo - Vacation  
Alderman D. Ross - Civic Business

Also present: Alderman T. Jackson  
Alderman T. Murray  
Mr. D. Carson, Mayor's Office  
Reverend Johnson, Board of Education  
Mr. A. Georgieff, Director of Local Planning  
Mr. J. Thoms, Commissioner of Planning  
Mr. M. Watson, Manager, Real Estate Division,  
Property Department  
Mr. P. Mallard, Planning Department  
Mrs. N. Chapple, Planning Department  
Mr. G. Robis, Building Department  
Mr. W. Wong, Building Department  
Mr. B. Allick, Building Department  
Mr. K. Brenner, Regional Engineering Department  
Mr. R. Karl, Traffic Department  
Mrs. C. Floroff, Planning Department  
Mrs. Susan K. Reeder, Secretary

1. CONSENT AGENDA

A. Adoption of the Minutes of the Planning and Development Committee:

The Committee was in receipt and approved the minutes of their last meeting held on Wednesday, 1990 November 7.

B. BUILDING COMMISSIONER - DEMOLITION PERMIT APPLICATION

The Committee was in receipt of a report from the Building Commissioner dated 1990 November 12, respecting the demolition of property at 99 Arbour Road and approved the following:

That the Building Commissioner be authorized to issue a demolition permit for the following property:

- (a) 99 Arbour Road.

DIRECTOR OF LOCAL PLANNING

C. Proposed Draft Plan of Condominium, Arm Orn Properties Ltd., owner, to establish a draft plan of condominium for property located on the south side of Harlowe Road west of Pritchard Road: Hannon North Neighbourhood. (25CDM-90006).

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 2, respecting the above-noted matter and approved the following:

That approval be given to Proposed Draft Plan of Condominium Application 25CDM-90006, Arm-Orn Properties Ltd., owner, to establish a draft plan of condominium located at the south side of Harlowe Road and west of Pritchard Road, subject to the following condition:

That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 July 5, showing 14 industrial units.

**D. By-law to remove part-lot control from part of Holland Avenue and Parcel "B", the one foot reserve, Registered Plan No. 909 - City of Hamilton; Butler Neighbourhood. (R.P.L.C. No. 57)**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 6, respecting the above-noted matter and approved the following:

- (a) That the City Solicitor be directed to prepare a by-law to remove part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.

NOTE: These lands are located south of Stone Church Road East and west of Beaverton Drive in the Butler Neighbourhood.

**E. By-law to remove part-lot control from Lots 1 to 32 inclusive - Registered Plan 62M-661; Butler Neighbourhood. (R.P.L.C. No. 59)**

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 6, respecting the above-noted matter and approved the following:

- (a) That the City Solicitor be directed to prepare a by-law to remove part-lot control from Lots 1 to 32 inclusive of Registered Plan 62M-661.
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control on the above-noted Lots 1 to 32 inclusive of Registered Plan 62M-661.

NOTE: These lands are located south of Stone Church Road East and west of Acadia Drive in the Butler Neighbourhood. The lands are part of Aquino Gardens, a Plan of Subdivision.

**DIRECTOR OF PUBLIC WORKS**

**F. Increase to Purchase Order - Crown Point West/Stipeley, Programme for Renewal, Improvement, Development and Economic Revitalization (P.R.I.D.E.)**

The Committee was in receipt of a report from the Director of Public Works dated 1990 November 9, respecting the above-noted matter and approved the following:

That, Change Orders Three and Four in the amount of \$11,117.06 for additional work at Belview Park in the Crown Point West/Stipeley Neighbourhood be approved and charged to the Crown Point West/Stipeley Phase II (P.R.I.D.E.) Programme Account No. CF 5200 428702005.

NOTE: Change Orders Three and Four are required to provide additional fencing at railway lands near Belview Park and winterizing of the spray pool area at Lucy Day Park.

**REGULAR AGENDA****BUILDING COMMISSIONER**

2. **City of Hamilton By-law 84-35, to provide for the maintaining of land in a clear and clean condition.**

The Committee was in receipt of a report from the Building Commissioner dated 1990 November 5, respecting the above-noted matter and approved the following:

That the City Solicitor be authorized and directed to prepare a By-law to give immediate effect to Orders issued pursuant to By-law 84-35, by authorizing the Building Commissioner to expend monies to a maximum of \$2,000. Furthermore, such money is to be recovered by adding the sum to the tax roll to be collected in a like manner as municipal taxes.

NOTE: City of Hamilton By-law 84-35 authorizes the Building Commissioner to clean up property where the owner is in default of the by-law.

**DIRECTOR OF PROPERTY**

3. **Purchase by City - 219 Brant Street - Hamilton East Kiwanis Non Profit Homes Inc. for the Alpha West Residential Enclave Clearance Programme.**

The Committee was in receipt of a report from the Director of Property dated 1990 November 15, respecting the above-noted matter and approved the following:

- (a) That an Option to Purchase the property at 219 Brant Street, duly executed by the Hamilton East Kiwanis Non Profit Homes Inc. for the Alpha West Residential Enclave Clearance Programme on 1990 November 9, and scheduled to close on or before 1991 February 4, be completed.
- (b)
  - (i) This Option to Purchase, and the binding contract of purchase and sale in the event of acceptance by the City, shall be conditional until the closing date so that the Owner may obtain the consent of Canada Mortgage and Housing Corporation ("CMHC") for the sale transaction contemplated herein, and failing receipt of such consent this Option to Purchase and any subsequent contract of purchase and sale shall be null and void, and any deposit paid shall be returned to the City without interest or deduction.
  - (ii) The Owner shall be entitled to remove the Stove and Refrigerator from the premises prior to closing.
- (c) The purchase price of \$70,000. is to be charged to Account Number CF5590308750001 Land Acquisition Enclave Clearance Program. Demolition is to take place upon closing.

NOTE: The subject property has a frontage of 9.144 metres (30 feet), more or less, by a depth of 24.384 metres (80 feet), more or less, together with all structures erected thereon being Municipal Number 219 Brant Street.



7. Zoning Application 90-63, Vorelco Limited, owner, for a change in zoning from "AA" and "HH" modified to "C" and "HH" for lands municipally known as 1209 to 1223 Upper James Street, Jerome Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 13, respecting the above-noted zoning application.

Report of the circularization was given as follows:

99 notices sent      12 in favour      1 opposed

Partners of Vorelco Limited, owners of the property, were in attendance and spoke to the Committee with respect to their application.

Mr. Riliveri, 25 Chipman, spoke in opposition to the application and indicated that there are enough plazas in the area already that are very noisy and disruptive to the surrounding homes. He also added that there is a clutter of junk on the property and summarized by saying that he wishes to have the application denied.

The Committee then discussed this application and approved the following:

That approval be given to amended Zoning Application 90-63, Vorelco Limited, owner, requesting changes in zoning from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc.- Holding) District (Block "1"); from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District (Block "2"); from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District (Block "3"); and for a modification to the "HH" (Restricted Community Shopping and Commercial) District (Block "4") to permit single-family development on Block "1" and retail commercial development on Blocks "2", "3" and "4", for property municipally known as 1209-1223 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, to the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed.

Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers serving the subject lands as the City deems necessary and passage of an amending by-law. City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law by enactment of an amending by-law once municipal sewers have been installed.

- (b) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. Holding) District;
- (c) That the lands described as Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (d) That the lands described as Block "3" be rezoned from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- (e) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to Blocks "2", "3" and "4", as shown on the attached map marked as Appendix "C", be modified to include the following variances as special requirements:



- (i) That notwithstanding Section 14A(3)(a) a minimum front yard of 24.0 m shall be provided and maintained;
- (ii) That a minimum 3.0 m wide landscaped strip, excluding any vehicular access, be provided and maintained adjacent to the Upper James Street road allowance;
- (iii) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 6.0 m wide to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2";
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1209, and that the subject lands on Zoning District Map E-9B be notated S-1209;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9B for presentation to City Council;
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, on the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Block "1" until municipal sewers are installed. Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers as the City deems necessary and the passage of an amending By-law by the City Council to remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in the amending By-law outlined below.

The purpose of the By-law is to provide for changes in zoning for property municipally known as 1209-1223 Upper James Street.

- Block "1" - Change from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
- Block "2" - Change from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- Block "3" - Change from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- Block "4" - Modification to the "HH" (Restricted Community Shopping and Commercial) District.

The effect of the By-law is to permit development of the subject lands for the following uses:

- Block "1" - single-family dwellings;
- Blocks "2"  
3" and "4" - retail commercial.

In addition, the By-law provides for the following variances as special requirements:

- (a) To require a minimum 24.0 m building setback from the front lot line (Upper James Street) for Blocks "2", "3" and "4";

- (b) To require a minimum 3.0 m wide landscaped strip, excluding vehicular access, to be provided and maintained adjacent to the Upper James Street road allowance;
- (c) To require a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained within a 6.0 m wide landscaped strip to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2".

8. Zoning Application 90-75, A-1 Towing, lessee, for a modification to the "M-15" District regulations for property at 1650 Upper Ottawa Street; Hannon West Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 6, respecting the above-noted matter and approved the following:

That approval be given to Zoning Application 90-75, A-1 Towing, lessee, requesting a modification to the established "M-15" (Prestige Industrial) District regulations, to allow, in addition to the other permitted uses, the establishment of a towing service and storage compound, for property located at 1650 Upper Ottawa Street, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the "M-15" (Prestige Industrial) District regulations, as contained in Section 17G of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special provision:

- (i) That notwithstanding Section 17G(1)(b), the following additional Commercial use shall be permitted:

Use Not Prohibited

S.I.C. Number

Other Motor Vehicle Services, n.e.c.

6399

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1210, and the subject lands on Zoning District Map E-49E be notated S-1210;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-15" (Prestige Industrial) District regulations for property located at 1650 Upper Ottawa Street.

The effect of the By-law is to allow, in addition to the other permitted uses, the establishment of a motor vehicle towing service and storage compound.

9. Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, for a change in zoning from "AA" to "DE" modified for land on the west side of Rice Avenue, south of Chadmac Drive; Mountview Neighbourhood.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1990 November 14, recommending that amended Zoning Application 90-67, BE TABLED for the following reason:

The application is premature pending the submission and review of a land use plan and the road pattern for the Chedoke Health Corporation holdings in the Mountview Neighbourhood.



Reverend Johnson, representing the Board of Education, declared a conflict of interest on this application and left the table.

Report of the circularization was given as follows:

1,516 notices sent    186 in favour    66 opposed

The Committee was in receipt of the following letters of submission:

- (a) W. M. Wadley, 241 West 32nd Street.
- (b) Mrs. S. Holden, 217-760 Mohawk Road West.
- (c) R. C. Walker, President, Chedoke McMaster Hospitals.

Ben Vanderbrug, President, Presbyterian Residences (Hamilton) Inc., spoke to the Committee briefly and outlined the history of their organization and also introduced members on their Board and local ministers of Presbyterian Churches also in attendance.

Mr. Ed Fothergill, Planning Consultant and member of the Board outlined the plans for their Zoning Application. Mr. Fothergill also distributed a submission respecting the project's philosophy and a map of the proposed site plan for the property.

Mr. Don May, Planning Consultant, spoke to the Committee and outlined a draft preliminary diagram of the Neighbourhood Plan for the Chedoke lands. He indicated that he anticipates a two year timing to the finalizing of this plan and outlined the work still to be done.

Mr. Don Faucette, resident of Scenic Drive, spoke in opposition to the application as he feels the area is becoming too congested. He emphasized that planning is essential for the lands to prevent an overwhelming traffic impact on the established single family neighbourhood surrounding this area. He also added that only Sanatorium and Scenic Roads are the main routes now and that they are not able to handle additional traffic.

Mr. Howard Green, of San Diego Court, spoke to the Committee and mentioned a historical promise given to the residents in the area, that they would be consulted on changes. He added that this has not occurred. He also indicated that the traffic in the area is very intense now and has concerns on the impact this development will have on the existing area.

Mr. Bill Wadley, West 32nd Avenue, inquired about the proposed development and also made mention of the impact being felt on the streets by parking, whereby students and employees wishing to avoid parking costs at Chedoke Hospital are parking on the nearby residential streets. He added that this needs to be corrected to lessen the impact on the neighbourhood.

Some discussion then ensued on the locations of the proposed Twin-Pad Arena and the Aquatic Centre and how the traffic flow from these facilities would be directed.

A resident on San Pedro Drive, also spoke mentioning her fear of the parking impact on San Pedro for people trying to avoid paying for parking. She added that this occurs now and will be made greater by the development if approved.

Mr. Grove, of Buckingham Drive, expressed concerns at the noise impact of this development. He added that the existing laundry facility which services all hospitals in Hamilton is very noisy and that further noise will increase if approval of this application is given.

Mr. Mallard of the Planning Department, confirmed that a site plan will apply to this application.

The Committee then approved the following:

- (a) That approval be given to Official Plan Amendment No. 96 to redesignate the lands located on the west side of Rice Avenue, south of Chedmac Drive from "Major Institutional" to "Residential", and the City Solicitor be directed to prepare a by-law for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified, to permit the development of a senior citizens community consisting of a six storey, 82 unit apartment building; 18, two storey stacked townhouse units; 34, one storey townhouse units; a residential care facility for 12 residents, and an amenity centre, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as Appendix "E", on the following basis:
  - (i) That the subject lands be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
  - (ii) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of Zoning By-law No. 6593, be modified to include the following variances as special requirements:
    - (1.) That notwithstanding Section 10A(1) only the following uses shall be permitted:
      - (a) multiple dwellings containing not more than a total of 100 dwelling units;
      - (b) 34 townhouse dwelling units;
      - (c) a residential care facility for the accommodation of not more than 12 residents aged 60 years and older; and,
      - (d) an amenity centre having a minimum gross floor area of 1,010.0 m<sup>2</sup>.
    - (2.) That notwithstanding Section 10A(2), the maximum height of one of the multiple dwellings shall not exceed six storeys.
    - (3.) That for the purposes of this By-law, "Amenity Centre" shall include, but not be limited to, the following:
      - (a) Administrative offices;
      - (b) Chapel;
      - (c) Library;
      - (d) Activity and Exercise rooms;
      - (e) Lounges;
      - (f) Dining Room;
      - (f) Variety Store;
      - (g) Hairdresser.
  - (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1211, and that the subject lands on Zoning District Map W-37 be notated S-1211;
  - (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 for presentation to City Council;



- (v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 96 by the Regional Municipality of Hamilton-Wentworth.
- (vi) That the Mountview Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Low Density Apartments".
- (c) That prior to the passing of the amending By-law the applicant shall apply for and receive Site Plan approval.

**NOTE:** The Corporation of the City of Hamilton has adopted Official Plan Amendment No. 96 to the Official Plan for the Hamilton Planning Area to redesignate the lands located on the west side of Rice Avenue, south of Chedmac Drive from "Major Institutional" and "Residential".

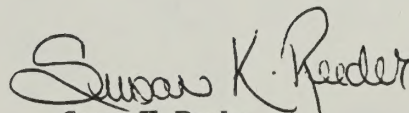
The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified for the above noted lands.

The effect of the by-law is to permit the development of the lands for a senior citizens community consisting of:

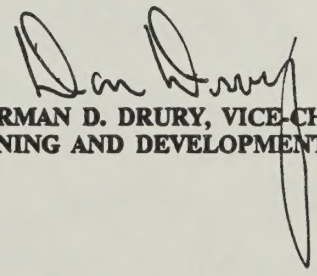
- (a) a six storey, 82 unit apartment building;
- (b) 18, two storey stacked townhouse units;
- (c) 34, one storey townhouse units;
- (d) a residential care facility for 12 residents aged 60 years and over; and,
- (e) an amenity centre including a chapel, library, administrative offices, activity and exercise rooms, lounges, dining rooms, variety store and hairdresser.

There being no further business, the meeting then adjourned.

Taken as read and approved,



Susan K. Reeder  
Secretary  
1990 November 21



ALDERMAN D. DRURY, VICE-CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE





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